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Managing Shanghai : the International Settlement administration and the development of the city, 1900-1943

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Abstract

The Shanghai Municipal Council, which managed the International Settlement at the heart of Shanghai from 1854 until 1943, profoundly shaped the development of the city politically, socially and geographically. It was dominated by British expatriates and settlers, but they shared power with an array of other nationalities, in a unique experiment in transnational governance. This thesis provides the first in-depth study of how the council functioned in the twentieth century and how it influenced and was influenced by contemporary changes locally, nationally and internationally. It argues that the council was profoundly important in this period, much more so than has been appreciated in the literature to date. The council was both subject to colonial influence and autonomous in its activities, so is best characterised as a semi-colonial institution, a concept which is tested and defined in this thesis. This study also provides a more precise understanding of the nature of Britain's informal empire in China, which was not confined to either diplomacy or trade but was experienced first and foremost through the activities of the Shanghai Municipal Council, in the mundane matters of daily life and in the many moments of strife and tension which occurred in this period. This thesis therefore furthers our understanding of foreign imperialism in China in all its complexities, with implications for the fields of both modern Chinese and colonial history.

Acknowledgements

As this dissertation represents the culmination of nearly a decade of study on Chinese and colonial history, my debts are far too numerous to mention them all. My first and deepest thanks go to Professor Robert Bickers at the University of Bristol, who has been a model supervisor. Robert inspired my interest in Chinese History in his undergraduate course on the Boxer Uprising and encouraged me to take this interest ever further. He has guided me through three dissertations and the many challenges that I faced along the way, always being generous with his time, personal collection of source materials, and wealth of knowledge. At each stage of my research and my academic career Robert has helped me towards the next stepping stone, and I have learnt not just about history, but how to be an historian largely from him. I will always be extremely grateful for all of this.

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My friends have been a constant source of support, encouragement and inspiration. Some whom I have met in the course of my research, including Hoito Wong and Sophie Loy-Wilson, have offered direct assistance in locating sources, for which I am very grateful. I would like to extend very warm thanks to all my family, particularly my mother and father, for supporting me and encouraging me throughout this lengthy process. My most heartfelt thanks go to Adam Hanna, for supporting me tirelessly and for having so much faith in my ability to succeed.

Author's Declaration

I declare that the work in this dissertation was carried out in accordance with the requirements of the University's Regulations and Code of Practice for Research Degree Programmes and that it has not been submitted for any other academic award. Except where indicated by specific reference in the text, the work is the candidate's own work. Work done in collaboration with, or with the assistance of, others, is indicated as such. Any views expressed in the dissertation are those of the author.

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Note on Chinese usage

Chinese names of places and people have been Romanised using the standard pinyin form in most cases except where the transliteration in contemporary use is the only form available or the preferred form, primarily for personal names such as for Chiang Kai-shek (Jiang Jieshi). Chinese characters have been given in addition to pinyin and an English translation where appropriate for clarity. Simplified characters are given as standard, but with traditional characters used where quoting from or referring to texts from before simplified characters were in general use or from Taiwanese or other non-mainland Chinese sources.

Introduction: Studying the Nature of Semi-colonialism in Shanghai

'The heart of Shanghai is the International Settlement, the city the foreign devils built... In theory the sovereignty of the place was vested in the consuls representing the powers which had treaties with China. In practice these consuls had little or nothing to say about the way the place was governed. A start was made by turning civic affairs over to an unpaid committee known as the Shanghai Municipal Council which functioned like the Board of Selectmen in a New England village or like the board of directors of a big corporation. It is this municipal council which through a continuous service of almost a hundred years has guided Shanghai in its development from a huddle of houses on a muddy foreshore to one of the finest and largest cities in the world.'[1]

Carl Crow, writing on his return to the USA after leaving a war-torn Shanghai, captures in the passage above the peculiar nature of the governance of the city's International Settlement. Occupying a narrow space between colonial power and independent government, the Shanghai Municipal Council (SMC) forged for itself remarkable authority to manage the affairs of the Settlement. While not carving a city from nothing, as Crow suggests, the SMC certainly profoundly shaped the development of Shanghai and its politics. This thesis provides the first in-depth analysis of how the council managed the International Settlement, which was at once uniquely cosmopolitan, undeniably Chinese, and yet profoundly British in nature. The Settlement formed an important part of Britain's informal empire, but the Shanghai Municipal Council which ran it was a semi-colonial authority with no direct counterpart anywhere in the world. Studying how the council developed and functioned therefore compels a fresh understanding of both these concepts (informal empire and semi-colonialism) in practice, while redressing a significant gap in modern Chinese historiography.

[1] Carl Crow, *Foreign Devils in the Flowery Kingdom* (Hong Kong: Earnshaw Books, 2007; first published 1940), pp. 158-9.

In recent years there has been a resurgence of interest in the study of informal empire among historians. The term 'informal empire' dates to at least its use by C. R. Fay in 1934,[2] and it gained wide currency, particularly in the British literature, from 1953 when Ronald Robinson and John Gallagher made it central to their thesis on the nature of British imperialism.[3] These historians used the term to refer to the way in which merchants pursued their free trading activities with the political, diplomatic and military backing of the British government in parts of the globe beyond the reach of the formal administrative structures of British imperialism. For Robinson and Gallagher, informal empire thus differed from formal empire only in degree.[4] They placed great importance on informal empire as the preferred practice of the British authorities, who, they argued, adopted the more expensive policy of formal annexation only where it was necessary to safeguard British trading interests. The cases of British involvement in Argentina and Egypt are often cited as key examples of informal empire, but the term is applied to various parts of Latin America, the Middle East and East Asia. The treaty ports along the southern and eastern coast of China, opened up to western settlement for the purposes of trade by treaties following the conclusion of the First Opium War in 1842, are also located by (particularly British) historians such as Robert Bickers as belonging to this world of informal empire,[5] and none more so than Shanghai.

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[2] C. R. Fay, *Imperial Economy and its Place in the Formation of Economic Doctrine, 1600-1932* (Oxford: Clarendon Press, 1934), p. 104. Fay's later contribution to *The Cambridge History of the British Empire* is sometimes wrongly cited as the first use of the term 'informal empire', for example by Andrew Thompson in 'Afterword: Informal Empire: Past, Present and Future', in *Informal Empire in Latin America: Culture, Commerce and Capital*, ed. by Matthew Brown (Oxford: Blackwell, 2008), p. 229. See C. R. Fay, 'The Movement Towards Free Trade, 1820-1853', in *The Cambridge History of the British Empire*, Vol. II: *The Growth of the New Empire, 1783-1870*, ed. by J. Holland Rose (Cambridge: Cambridge University Press, 1940), p. 399.

[3] John Gallagher and Ronald Robinson, 'The Imperialism of Free Trade', *Economic History Review*, New Ser., Vol. 6, No. 1 (1953), pp. 1-15.

[4] Gallagher and Robinson, 'Imperialism of Free Trade', p. 7.

[5] Robert Bickers, *Britain in China: Community, Culture and Colonialism 1900-1949* (Manchester: Manchester University Press, 1999).

John King Fairbank provides still the most authoritative, though not unproblematic, account of this process of the 'opening up' of China to western trade and influence.[6] Following the British victory in the First Opium War, the Chinese government was left with no choice but to open up the five ports of Canton (Guangzhou), Amoy (Xiamen), Ningpo (Ningbo), Foochow (Fuzhou) and Shanghai to foreign settlement and trade, in addition to the cessation of Hong Kong and the payment of reparations, according to the terms of the 1842 Treaty of Nanjing. Shanghai rapidly overtook Canton as the most important centre of foreign influence in China, a position it maintained as more treaty ports were added by the subsequent 'unequal treaties',[7] notably the Treaties of Wangxia (in 1844 with the United States), Whampoa (also in 1844 with France), Tianjin (in 1858 with Britain, France, Russia and the USA, and in 1861 with Prussia and the German Customs Union) and Shimonoseki (in 1895 with Japan).

Fairbank's model of 'China's response to the west' through the opening of treaty ports has been thoroughly revised by such notable historians as Paul Cohen, who almost thirty years ago advocated a 'China-centred' approach.[8] This entailed moving away from (in a nod to Edward Said) 'a Western-centeredness that robs China of its autonomy and makes of it, in the end, an intellectual possession of the West' to 'a more interior approach' to Chinese history which cast China as the active creator of its own history.[9] China-centred histories have since been written widely. Indeed, the pendulum

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[6] John King Fairbank, *Trade and Diplomacy on the China Coast: the Opening of the Treaty Ports, 1842-1854* (Stanford: Stanford University Press, 1969), especially pp. 81-103 for the First Opium War and subsequent negotiations over the Treaty of Nanjing, and 195-99 for the treaties negotiated by the United States and France.

[7] Though widely used in the English and Chinese literature, the term 'unequal treaties' is heavily politically weighted.

[8] Paul A. Cohen, *Discovering History in China: American Historical Writing on the Recent Chinese Past* (New York: Columbia University Press, 1984), especially pp. 9-55.

[9] Cohen, *Discovering History in China*, pp. 151, 153.

swung rather too far in that direction, with histories written as though there had been no foreign encroachment into or influence on China. In a backlash against this trend, William Kirby argued in 1997 that 'there is no point in searching for some uniquely "China-centred" historical narrative [for the Republican period]... Everything important had an international dimension.'[10] Happily, by 2005 Rana Mitter could comment that 'The call to bring the foreign back into modern Chinese history has had an enriching effect on the field'.[11] The point has now been reached where historians can examine the realities of the interactions between China and western powers bearing both sides of this debate in mind and seeking to avoid the pitfalls of both: an over-simplification of the nature of the history of modern China as either dependent on or independent of western stimulus.

The kind of history written by Fairbank, driven by sources in diplomatic records and charting the political developments of the Sino-British relationship,[12] was partially superseded as the broader trend to write socio-economic history from the 1960s filtered into the field of China Studies by the 1980s. Shanghai has been the site many historians have chosen in which to locate their studies on aspects of Chinese life from native place associations to prostitution, due to both its importance as the largest of the treaty ports and the strongest economy of East Asia and its legendary status as a city of unparalleled

[10] William C. Kirby, 'The Internationalization of China: Foreign Relations at Home and Abroad in the Republican Era', *China Quarterly*, No. 150, Special Issue: Reappraising Republic China (June 1997), p. 433. Robert Bickers echoed this assertion two years later, writing that 'there is no doubting... the absurdity of writing modern Chinese history as if there was no western presence, or with a caricatured foreign presence, which has often been the net effect.' Bickers, *Britain in China*, p. 6.

[11] Rana Mitter, 'Historiographical Review: Modernity, Internationalization, and War in the History of Modern China', *Historical Journal*, Vol. 48, No. 2 (2005), p. 528.

[12] Work in the 1960s and '70s by Nicholas Clifford and Gerald Graham would also belong to this category. Nicholas R. Clifford, *Retreat from China: British Policy in the Far East, 1937-1941* (London: Longmans, 1967); Gerald S. Graham, *The China Station: War and Diplomacy, 1830-1860* (Oxford: Clarendon Press, 1978).

opportunity and vice in both the Chinese and western collective memory.[13] Much work has rightly redressed a concentration on the foreign impact on the city, though important progress has also been made in understanding this dominant minority community, not least by Robert Bickers.[14] Bickers' work locates the British presence in Shanghai, the strongest foreign group, within the broader imperialism of the British empire,[15] providing valuable insights into the behaviour, motivations and mindsets of the British in cities like Shanghai.

Research on the way in which the British presence in Shanghai can be located in relation to informal empire in China and beyond is, however, somewhat lacking. The work that has been done focuses largely on the Chinese Maritime Customs Service (CMCS), a fascinating and revealing instance of a Chinese institution staffed and run in the main by foreign (overwhelmingly British) officials.[16] In contrast, the Shanghai Municipal Council, the governing body of the International Settlement – without doubt the most compelling expression of informal empire in China and the self-styled 'model settlement' for other outposts of foreign imperialism on the Chinese mainland – has received comparatively little scholarly attention in the Anglophone literature.[17] In 1854

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[13] Contributions by Emily Honig and Christian Henriot stand out in these two areas of the field. Emily Honig, *Creating Chinese Ethnicity: Subei People in Shanghai, 1850-1980* (New Haven: Yale University Press, 1992); Christian Henriot, *Prostitution and Sexuality in Shanghai: a Social History, 1849-1949*, trans. by Noël Castelino (Cambridge: Cambridge University Press, 2001).

[14] Robert Bickers, *Empire Made Me: An Englishman Adrift in Shanghai* (London: Allen Lane, 2003) provides an analysis of the nature of the International Settlement through the lens of a biography of an ordinary recruit to the Shanghai Municipal Police force named Maurice Tinkler.

[15] Most notable here among many relevant works is Bickers, *Britain in China*.

[16] See Martyn Atkins, *Informal Empire in Crisis: British Diplomacy and the Chinese Customs Succession, 1927-1929* (Ithaca, NY: Cornell East Asia Series, 1995) and in particular the work of researchers associated with the Chinese Maritime Customs Project at the University of Bristol including Donna Brunero, *Britain's Imperial Cornerstone in China: the Chinese Maritime Customs Service, 1854-1949* (London: Routledge, 2006), the July 2006 special issue of *Modern Asian Studies*, Vol. 40, No. 3, doctoral research by both Catherine Ladds and Felix Boecking, and various articles by Robert Bickers, including 'Purloined Letters: History and the Chinese Maritime Customs Service', *Modern Asian Studies*, Vol. 40, No. 3 (2005), p. 692. Hans van de Ven is also working on the Customs Service.

[17] Indeed, Mary Wilgus in her study of informal empire in China makes no mention at all of the SMC or International Settlement. Mary H. Wilgus, *Sir Claude MacDonald, the Open Door, and British Informal Empire in China, 1895-1900* (New York: Garland, 1987). Relevant work has been done, however, by

the Shanghai Municipal Council replaced the Committee of Roads and Jetties which had run the English Settlement since 1845, two years after its establishment in accordance with the Treaty of Nanjing. The Shanghai Municipal Police (SMP) and Shanghai Volunteer Corps (SVC) were formed in the same year, and all three were established in response to the seizure of the Chinese City by Taiping rebels the previous year.[18] The smaller American Settlement merged with the English in 1863 to form the International Settlement, though the French Government refused to sanction the inclusion of the French Concession.[19] From then on, the SMC strengthened its independence from the consular body as a self-governing entity, even as individual foreign subjects in the Settlement remained subject to consular authority.

The Land Regulations governing the council's electorate and powers were initially drawn up by the Chinese authorities, with revisions by the Land Renters in response to the changing conditions in Shanghai approved by the foreign diplomatic body and Chinese government at Beijing in 1854, 1869 and 1898. They essentially formed a constitution for the council but were increasingly inadequate as time went on, allowing the ratepayers, for example, the power to block innovations which would have given Chinese residents more of a voice in the running of the Settlement. Franchise was granted by the ownership of property: according to Article XIX of the 1898 Land Regulations, which remained in use for the remainder of the council's existence, foreigners (non-Chinese in the parlance of the time) who owned land worth at least Tls. 500 and paid property taxes of Tls. 10 or more per year, or who were householders

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John Darwin and, fifty years ago, Nathan Pelcovits: John Darwin, 'Imperialism and the Victorians: The Dynamics of Territorial Expansion', *English Historical Review*, Vol. 112, No. 447 (June 1997), pp. 614-642; Nathan Pelcovits, *Old China Hands and the Foreign Office* (New York: American Institute of Pacific Relations, King's Crown Press, 1948).

[18] Robert Bickers, 'Shanghailanders: The Formation and Identity of the British Settler Community in Shanghai, 1843-1937', *Past and Present*, 159 (May 1998), pp. 165-6.

[19] Richard Feetham, *Report of the Hon. Mr. Justice Feetham, C.M.G. to the Shanghai Municipal Council* (Shanghai: North-China Daily News & Herald, 1931), Vol. I, p. 28.

paying at least Tls. 500 per year in assessed rent, were entitled to elect council members and vote at ratepayers' meetings.[20] Convention dictated the nationalities represented on the council, but British members dominated.

The SMC managed a far greater expanse of land than was ever envisaged by the Chinese and British who negotiated its existence. With repeated expansions, as shown in Figure 1, the area of the Settlement increased from 138 acres in 1846 to 5,583 acres or 8.66 square miles from the end of the nineteenth century on,[21] and the council also assumed limited control of the external roads beyond the Settlement boundaries. In order to manage this area, it employed a large number of staff (it was the largest employer of British subjects in Shanghai, though a far greater number of Chinese were on its payroll) across a range of departments. The departments and their employees increased in number as the role of the SMC expanded over the years.

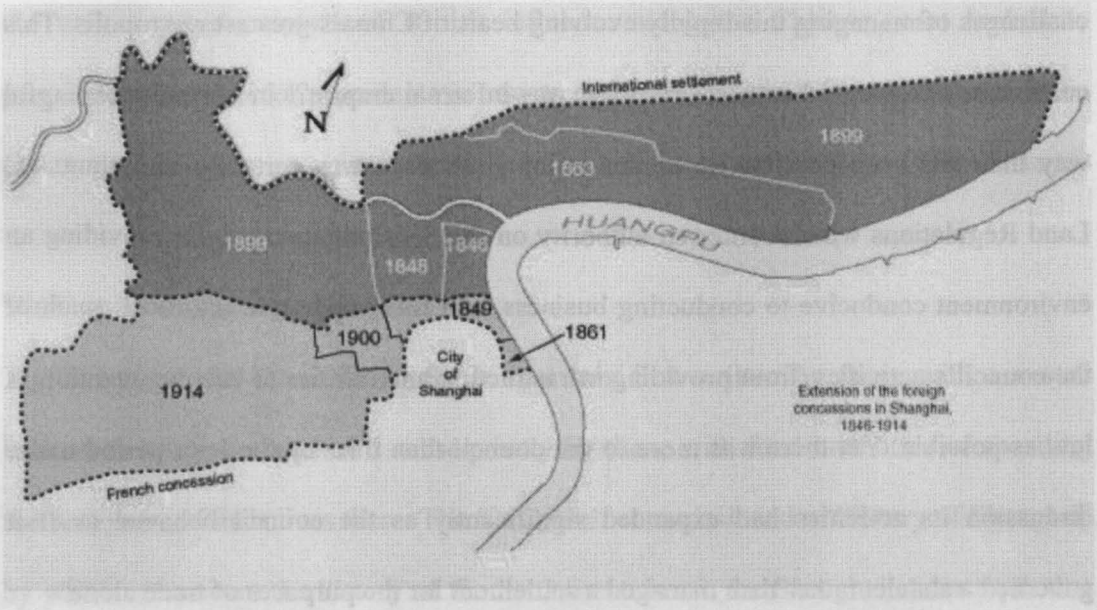

Figure 1. Map showing the Settlement boundaries in 1914.[22]

[20] Feetham, *Report*, Vol. I, p. 80. In 1930 there were 15 taels to the pound (sterling). For conversion rates, see Wakeman, Jr., *Policing Shanghai*, p. xi.
[21] F. C. Jones, *Shanghai and Tientsin, with Special Reference to Foreign Institutions* (London: Oxford University Press, 1940), p. 1.
[22] Map courtesy of Robert Bickers.

In contrast to their colleagues in the west, Chinese scholars have, for the last decade or so, increasingly directed their attention towards the functions of the SMC.[23] This thesis builds on recent work by Chinese academics and makes use of the unprecedented access to the Shanghai Municipal Archives (SMA) now available to foreign scholars, to address the gap in the western literature on the nature of the SMC. An analysis of the ways in which the council functioned reveals the precise nature of informal empire in its institutional form, expanding the term from its origins as almost a synonym for 'free trade imperialism'.[24] This traditional understanding of informal empire is based on its nature in the nineteenth century; shifting the period under analysis to the first half of the twentieth century reveals a very different phenomenon. The thesis explores how informal empire was practised 'on the ground' through an examination of the implementation of SMC policies and its response to the changing challenges of managing this rapidly evolving heart of China's greatest metropolis. This enables us to answer the question, 'what was informal empire?' in a more meaningful way than has been possible up to this point. Free trade was certainly important: the Land Regulations which conferred authority on the SMC charged it with providing an environment conducive to conducting business, and this imperative informed much of the council's activities, from providing infrastructure and utilities to keeping taxation as low as possible. Yet there was more to the council than this: by the later period under discussion its activities had expanded significantly as the council behaved as if it governed a statelet rather than managed a settlement for the purposes of trade alone.

A more nuanced understanding of the nature of informal empire on the basis of the workings of the SMC provides an increased appreciation of the variety present in

[23] The existing literature in Chinese is discussed below.

[24] Britten Dean identified 'informal empire' and 'free-trade imperialism' as 'close relatives', but was referring to the heyday of free trade from the 1830s to the 1870s. Britten Dean, 'British Informal Empire: The Case of China', *Journal of Commonwealth and Comparative Politics*, Vol. 14 (1976), p. 64.

twentieth century European imperialism, as well as shedding new light on how informal empire was experienced by the inhabitants of Shanghai's International Settlement, both Chinese and foreign. Reaching below the surface of the political, military and mercantile apparatus of informal empire to reveal the day-to-day practice of managing such outposts of imperialism adds significantly to our understanding of the history of Shanghai and of imperialism more broadly. Moreover, due to its status as the largest of the treaty ports and among the first five to be opened to foreign settlement and governance, the study of the management of the International Settlement is also relevant to an understanding of the semi-colonial presence in all of the towns and cities throughout east and central east China which experienced this kind of imperialism, from the late nineteenth century until the Second World War. The 'Shanghailanders' (settlers, as opposed to expatriates)[25] considered theirs to be a 'model settlement' and certainly the various other outposts of British influence along the Chinese coast looked to practice in Shanghai for precedents in how to construct and run a foreign community in China.

Writing the history of Shanghai

The history of the International Settlement was first written by those with a vested interest in its continuance and subsequently by those with fond memories of spending the best years of their lives there. The SMC itself commissioned a 'History of Shanghai', by which was meant the history of the Settlement due to the Shanghailander myth that British settlers had founded it on nothing more than vacant mud flats. The writing of this history was duly begun by George Lanning and completed after his death by the

[25] See Bickers, 'Shanghailanders', pp. 161-211.

journalist Samuel Couling,[26] but by the time the latter finished the second volume the political climate in Shanghai had rendered the publication of such a self-satisfied account of Britain's involvement in the city a political impossibility. The council ordered that the copies be pulped.[27] A few years earlier Couling had published his *Encyclopaedia Sinica* with entries for all the features of Shanghai of interest to its foreign community, including the Shanghai Municipal Council.[28] The most noteworthy history produced in Shanghai during this period was that by Francis Hawks Pott, an American missionary and Director of St John's College in Shanghai.[29] His materials included those gathered by Lanning and Couling, but publishing as he did in 1928 just as the first Chinese members took their seats on the council, his is a somewhat less bombastic history. Nevertheless, it is a tale of the introduction of western civilisation to China through the International Settlement couched in the terms of empire – complete with the founding struggle in the form of the Battle of the Muddy Flat against the rebels of the Small Sword Society in 1854, to which a chapter is devoted.[30] In later years, former residents of Shanghai such as Brigadier Davidson-Houston wrote memoirs of their time in the International Settlement,[31] which echoed this legend of a civilising British presence in Shanghai, but also played upon the city's reputation for lawlessness and vice.

In recent decades the history of Shanghai has become a sub-field in and of itself, with historians of modern China drawn to research myriad aspects of this city which has retained the legendary status it earned during its heyday. Space here permits only a

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[26] George Lanning and Samuel Couling, *The History of Shanghai, Part I* (Shanghai: Kelly & Walsh, 1921).
[27] Bickers, *Britain in China*, p. 39.
[28] Samuel Couling, *Encyclopaedia Sinica* (Shanghai: Kelly & Walsh, 1917).
[29] Francis Lister Hawks Pott, *A Short History of Shanghai, Being an Account of the Growth and Development of the International Settlement* (Shanghai: Kelly & Walsh, 1928).
[30] Hawks Pott, *Short History*, pp. 24-34.
[31] J. V. Davidson-Houston, *Yellow Creek: the Story of Shanghai* (London: Putnam, 1962).

review of some of the most significant contributions to that literature which have a particular bearing on interpretations of the nature and role of the International Settlement. Two popular movements which shaped the course of modern Chinese history have naturally attracted an array of highly informative scholarship: the May Fourth and May Thirtieth Movements of 1919 and 1925. Joseph Chen's 1971 volume on the former is still the best narrative account of the events in Shanghai that culminated in an eight-day strike by a combination of students, merchants and workers in protest against the Chinese government's acceptance of the terms agreed at the Paris Peace Conference.[32] The Conference failed to reward China for its participation in the First World War, rather granting German concessions in China to the Japanese. There followed a national patriotic movement with far-reaching consequences for Chinese politics and the council.

The May Thirtieth Incident of 1925 has been described comprehensively by Richard Rigby.[33] In the first half of his book Rigby charts the development of the movement in the factories and streets of Shanghai. He explains how the SMP's shooting of protestors, killing twelve Chinese, in an already charged atmosphere produced massive strike action across the city, almost causing it to grind to a halt. The second part of the monograph is devoted to the motivations and actions of the main protagonists on both sides: the Communist and Nationalist Parties and the British officials in Shanghai and Whitehall. It is the British who are the focus of Nicholas Clifford's study of the Chinese 'Revolution' of the mid-1920s.[34] Clifford seeks to understand how the tiny foreign minority rationalised, publically and to itself, its hold on power in the SMC and

[32] Joseph T. Chen, *The May Fourth Movement in Shanghai: the Making of a Social Movement in Modern China* (Leiden: Brill, 1971).
[33] Richard W. Rigby, *The May 30 Movement: Events and Themes* (Folkestone: Dawson, 1980).
[34] Nicholas R. Clifford, *Spoilt Children of Empire: Westerners in Shanghai and the Chinese Revolution of the 1920s* (Hanover, New Hampshire: Middlebury College Press, 1991).

Mixed Court, and how its bellicose behaviour precipitated its own decline. Key to this process was the division between the council's hostility to giving in to Chinese nationalist pressure and the measured sympathy with moderate nationalist aims expressed by the British government, on which the SMC increasingly relied for its position.[35] Although these two are thorough investigations of the May Thirtieth Movement and its implications (Clifford going further in addressing other key events of the decades), Rigby and Clifford were limited in their access to Chinese sources, so the more recent research by Tiina Airaksinen advances our understanding of these events.[36] Airaksinen makes use of the previously closed materials at the Shanghai Municipal Archives, which the present thesis also exploits, in analysing British reactions to May Fourth and how they influenced the development of the movement. She argues that the failure of the council to placate the justified anger of Shanghai's Chinese contributed to the more radical nationalism that developed in the following years.[37]

Further work on the foreign community of Shanghai has been and continues to be written by Robert Bickers. In addition to articles on many aspects of the history of the International Settlement, Bickers' books on the nature of the British community in China more broadly, the experience of ordinary British employees of the SMC through the story of the policeman Maurice Tinkler, and the foreign powers' 'scramble for China' are all highly relevant to this thesis.[38] Also pertinent to this study is Katherine Meyer's account of Shanghai's stresses as a treaty port between 1914 and 1921.[39] Bryna Goodman has contributed to the debate over the semi-colonial nature of the

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[35] Clifford, *Spoilt Children of Empire*, pp. 113-26.
[36] Tiina Helena Airaksinen, *Love Your Country on Nanjing Road: the British and the May Fourth Movement in Shanghai* (Helsinki: Renvall Institute, University of Helsinki, 2005).
[37] Airaksinen, *Love Your Country*, p. 17.
[38] Bickers, *Britain in China*; *Empire Made Me*; *The Scramble for China: Foreign Devils in the Qing Empire* (London: Allen Lane, 2011).
[39] Katherine Brennan Meyer, 'Splitting Apart: The Shanghai Treaty Port in Transition, 1914-1921' (Unpublished PhD Thesis, Temple University, 1985).

International Settlement with a study on the council's jubilee celebrations in 1893,[40] along with a body of work on the Chinese community in Shanghai. By uncovering the diverse agendas played out by the different Chinese and foreign participants in the celebrations, Goodman reveals the different ways in which the constituent groups of the International Settlement interpreted its social and political order and their place within it.[41] Tim Wright demonstrates the limitation of the power of the SMC as shown by the resistance to and defeat of its attempts to reform the system of rickshaw licensing in 1934.[42] This theme of different interpretations of the role and power of the council between the Chinese and foreign communities of the Settlement informs much of the work in this thesis. Also focussing on the 1930s, Jürgen Osterhammel argues that Japanese imperial power came to overshadow British semi-colonial authority in Shanghai during this decade.[43] He claims, however, that the British economic presence did not fall away as British political power declined due to increasingly close cooperation between British business and the Chinese elite. It is important to bear in mind this economic dimension to the British semi-colonial presence in Shanghai. Other foreign communities in Shanghai remain understudied, but Christian Henriot and Joshua Fogel have contributed to the English-language scholarship on the Japanese community, Chiara Betta has written on the Sephardic Jewish community, and Christine Cornet works on the French Concession.[44]

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[40] Bryna Goodman, 'Improvisations on a Semi-colonial Theme, or, How to Read a Celebration of Transnational Urban Community', *Journal of Asian Studies*, Vol. 59, No. 4 (2000), pp. 889-926.
[41] Goodman, 'Improvisations', p. 890.
[42] Tim Wright, 'Shanghai Imperialists versus Rickshaw Racketeers: The Defeat of the 1934 Rickshaw Reforms', *Modern China*, Vol. 17, No. 1 (January 1991), pp. 76-111.
[43] Jürgen Osterhammel, 'Imperialism in Transition: British Business and the Chinese Authorities, 1931-37', *China Quarterly*, No. 98 (June 1984), p. 260 and *passim*.
[44] Christian Henriot, '"Little Japan" in Shanghai: An Insulated Community, 1875-1945', in *New Frontiers: Imperialism's New Communities in East Asia, 1842-1953*, ed. by Robert Bickers and Christian Henriot (Manchester: Manchester University Press, 2000), pp. 146-69; Joshua A. Fogel, '"Shanghai-Japan": The Japanese Residents' Association of Shanghai', *Journal of Asian Studies*, Vol. 59, No. 4 (November 2000), pp. 927-50; Chiara Betta, 'Marginal Westerners in Shanghai: the Baghdadi Jewish Community, 1845-

Much of the literature on Shanghai has focused on the city as the site where 'modernity', a very loaded term, took root in China. Marie-Claire Bergère, for example, attributes China's modernisation to the bourgeoisie which was able to emerge in the treaty ports, especially Shanghai, due to the economic stimulation of western intervention and the retreat of the state from economic affairs under Republican rule.[45] In response to this kind of work, Hanchao Lu wrote a ground-breaking exploration of everyday life in Republican Shanghai for the ordinary Chinese who dwelled in the city's back alleys. He argues that such people were little affected by the western-influenced modernity for which Shanghai is remembered, many of them living, for example, with no electricity or running water.[46] It is important to remember that many of the poorest Chinese in the Settlement functioned without knowledge or care of the Shanghai Municipal Council which ran it. It is also, however, an exaggeration to deny that the council's policies had any bearing on them, particularly as it expanded its role through the period and especially in relation to its efforts to improve public health and, later, industrial working conditions. While accepting the caution urged by Lu's work on the limitations of the foreign impact on everyday life, this thesis therefore argues that in fact the SMC was a very real presence in the lives of the inhabitants of the Settlement, though often in ways that would not have been immediately obvious to them. This included everything from licensing businesses and enforcing building regulations to providing free small pox inoculations and policing the streets.

1931', in *New Frontiers*, pp. 38-54; Christine Cornet, 'The Bumpy End of the French Concession and French Influence in Shanghai, 1937-1946', in *In the Shadow of the Rising Sun: Shanghai under Japanese Occupation*, ed. by Christian Henriot and Wen-Hsin Yeh (Cambridge: Cambridge University Press, 2004), pp. 257-76.

[45] Marie-Claire Bergère, 'The Shanghai Bankers' Association, 1915-1927: Modernisation and the Institutionalisation of Local Solidarities', in Frederic Wakeman, Jr. and Wen-hsin Yeh (eds.), *Shanghai Sojourners* (Berkeley: University of California Press, 1992), pp. 15-34 and Marie-Claire Bergère, *The Golden Age of the Chinese Bourgeoisie, 1911-1937* (Cambridge: Cambridge University Press, 1989), pp. 7-25.

[46] Hanchao Lu, *Beyond the Neon Lights: Everyday Shanghai in the Early Twentieth Century* (Berkeley: University of California Press, 1999), p. 121.

Leo Ou-fan Lee described Shanghai 'as a cultural matrix of Chinese modernity'.[47] Lee's literary research is informed by an analysis of Shanghai's urban ecology, where old and new, Chinese and western all shared space. He considers Shanghai's print culture, cinema, books and journals in constructing an understanding of the city's cosmopolitanism as created and experienced by the Chinese literati. Recognising the significance of the semi-colonial impact on the city, he nonetheless concludes that a distinctly Chinese modernity emerged.[48] For Meng Yue, who builds on Lee's work, 'the cultural identity of Shanghai is found somewhere between semi-colonialism and cosmopolitanism.'[49] The western influence through semi-colonial domination of the city was undeniable, yet the culture of the city was more cosmopolitan than the west and, for Yue, it was this cosmopolitanism that most shaped it as the site for the meeting of 'different worlds'.[50] She argues that this character ensured the shift of China's urban and cultural heartland from the declining Jiangnan cities to the coast and specifically Shanghai, which in turn facilitated a flowering of culture and modernity. Although her focus is cultural, Yue's emphasis on cosmopolitanism has significant implications for the more political subject of this thesis as the SMC functioned in an increasingly cosmopolitan society, which brought its own challenges. Cosmopolitanism is, however, a problematic concept in such an unequal setting as Republican Shanghai, as it implies access to the foreign cultural influences brought by the international mix of people who flocked to the city. In reality the Chinese population, as well as to a lesser degree other groups who were looked down

[47] Leo Ou-fan Lee, *Shanghai Modern: The Flowering of a New Urban Culture in China, 1930-1945* (Cambridge, Mass.: Harvard University Press, 1999), p. xi.
[48] Lee, *Shanghai Modern*, p. 22 and *passim*.
[49] Meng Yue, *Shanghai and the Edges of Empires* (Minneapolis: University of Minnesota Press, 2006), p. xi.
[50] Ibid. Meng Yue does not consider the highly cosmopolitan western cities such as New York.

upon by the Anglo-Franco-American elite, were not as privy to this cosmopolitan culture as the dominant nationalities.

This thesis does consider Shanghai to have been cosmopolitan, with this important caveat in mind, but it engages with and draws on the concept of transnationalism, which carries connotations of border crossing and exchange between nationalities without the implied equality of cosmopolitanism. Transnationalism emphasises the networks in which individuals and groups operated across borders and stresses the movement of people within these networks. Valuable work is being done on the transnational ambitions and influences of such interwar institutions as the League of Nations, but much of this is focused on Europe or the wider developed western world including also North America and Australasia.[51] Where transnationalism has been applied to the study of China, it has been confined largely to the cultural domain, with such notable works as Sheldon Hsiao-peng Lu's volume on transnational Chinese cinemas. Lu stresses the ways in which the transnational production and consumption of culture (film in this case) for and by audiences at home and overseas integrated China into a globalising world.[52] Lu also contributes to calls to problematise the concept of the 'nation'.[53] This has implications for the study of such a unique political entity as the International Settlement, which behaved as a statelet and included so many nations within its borders. In this way the present study expands the application of the concept of transnationalism in China into political history. I also write of the international aspect

[51] For a majestic study of the role of international organisations in modern history, see Akira Iriye, *Global Community: The Role of International Organisations in the Making of the Contemporary World* (Los Angeles: University of Los Angeles Press, 2002). For a good selection of recent work on transnational history on Europe, see *Contemporary European History*, Vol. 14, No. 3, Theme Issue: Transnational Communities in European History, 1920-1970 (November 2005), pp. 421-582.
[52] Sheldon Hsiao-peng Lu, 'Historical Introduction: Chinese Cinemas (1896-1996) and Transnational Film Studies', in *Transnational Chinese Cinemas: Identity, Nationhood, Gender*, ed. by Sheldon Hsiao-peng Lu (Honolulu: University of Hawai'i Press, 1997), p. 3.
[53] Ibid.

of what was called, after all, the International Settlement, but where I deploy the term 'transnational' I seek to convey the areas in which nations were not being represented by national groups and individuals in Shanghai, but rather the intersections between these groups and individuals of different nations were of primary importance.

The concepts of informal empire and semi-colonialism

The terms 'informal empire' and 'semi-colonialism' are sometimes used interchangeably, but they have subtle yet important differences. Put simply, imperialism is the extension of influence or control beyond a nation's borders politically, economically and/or culturally, while colonialism indicates specifically the bringing of foreign territory under formal control by an imperial power with a significant number of settlers from the dominant nation. Similarly, for the purposes of this thesis, informal empire describes areas in which an imperial power extends control politically, economically or culturally without formally subjecting it to the central imperial authority of the metropolis, while semi-colonialism is the partial control of foreign territory by an imperial power with the presence of colonial settlers, but which stops short of a claim of sovereignty over the territory. The unequal treaties between China and Britain, and the other powers which followed, gave the foreigners the right to occupy certain tracts of land, such as the areas that became Shanghai's International Settlement and French Concession, and to be subject to the laws of their own nations rather than those of China. Chinese sovereignty was thus severely impaired, and more so as the Land Regulations of the Settlement were revised in the foreigners' favour and as the SMC brought ever more land under its jurisdiction, but the territory remained at all times legally Chinese. It was thus only semi-colonised and an informal part of the empires of such countries as Britain and France.

Semi-colonialism (*ban zhimin zhuyi* 半殖民主义) is a widely used term in China and has been for the last century. The Chinese usage adapts Lenin's concept of semi-colonialism as a transitional stage on the way to full colonisation, applying it to the Chinese context where Marxist historians perceived the partial penetration of foreign powers into a China stalled in the feudal stage of development.[54] Sun Yat-sen employed the terms 'sub-' and 'hypo-colonialism' to argue that 'China is not the colony of one nation but all' and so was not better off than fully colonised nations, as he claims his countrymen believed, clinging to China's 'semi-colonial' status, but far worse off.[55] Most Chinese scholars have nonetheless adopted the term 'semi-colonialism' to describe China's position vis-à-vis the foreign powers. Hu Sheng (胡绳) was, until his death in 2000, one of the most influential proponents of the official Chinese historical orthodoxy on the semi-colonialism of foreign powers in China in the so-called 'century of national humiliation'.[56] A Communist Party member and very much a part of the political and academic establishment, he was a Professor at Peking University and the Director of the Research Unit on Party History at the Chinese Communist Party Central Committee, as well as being Vice-Chairman of the Seventh and Eighth National Committees of the Chinese People's Consultative Conference (1988-93 and 1993-98). It is perhaps because the term 'semi-colonialism' as used by such theorists has such strong political and ideological connotations that many western, particularly British, scholars have preferred to describe the phenomenon in terms of informal empire.

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[54] Jürgen Osterhammel, 'Semi-Colonialism and Informal Empire in Twentieth Century China: Toward a Framework of Analysis,' in Wolfgang J. Mommsen and Jürgen Osterhammel (eds.), *Imperialism and After: Continuities and Discontinuities* (London: Allen and Unwin, 1985), p. 296.

[55] Sun Yat-sen, *San Min Chu I: The Three Principles of the People*, ed. by L. T. Chen, trans. by Frank W. Price (Shanghai: Institute for Pacific Relations, 1927), pp. 38-9.

[56] Hu Sheng's seminal work on the subject was *Imperialism and Chinese Politics* (Westport, Conn.: Hyperion Press, 1973; first published as *Diguo zhuyi yu Zhongguo zhengshi* 帝国主义与中国政事(Beijing: 1952)).

Historians in the United States have been more willing to use the term semi-colonialism, however, as the debate over informal empire has been largely confined to the British academy. Rhoads Murphey positioned semi-colonialism in China in opposition to British colonialism along the lines of the 'Indian model of western penetration.'[57] He described the limitation of the imperial encroachment on Chinese soil in terms of the treaty ports being fundamentally separate from the rest of China,[58] which falls foul of a trend abhorred by Jeffrey Wasserstrom of treating Shanghai and its sister treaty ports as though they were not part of China at all.[59] Paul Cohen levels the additional criticism that Murphey's assumption that foreigners wanted to convert China into a full colony but were held back by China's strength lacks any supporting evidence.[60] Rather, the semi-colonial control of China suited the interests of the foreign powers perfectly. Cohen also uses the term semi-colonialism, but prefers to speak of a colonialism of a 'partial, multiple, and layered character.'[61] In this way, he is referring to the semi-colonial nature of the Chinese experience of imperialism alongside the fact that it was domination 'by a plurality of foreign nations' and that this partial colonialism 'was until 1912 spliced onto the full colonialism of the Manchus', making the significant point that, until its collapse, the Qing dynasty was a form of expansionist colonial domination over the Han Chinese. This approach, however, risks the term losing its usefulness and instead being lost in ever more specific qualifications. Ruth Rogaski coined the term 'hypercolonial' to describe the colonialism by many nations side by side in Tianjin, with explicit reference to Sun Yat-sen's 'hypo-colonial' concept,

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[57] Rhoads Murphey, *The Outsiders: The Western Experience in India and China* (Ann Arbor: University of Michigan Press, 1977), especially pp. 12, 134-6.
[58] Murphey, *Outsiders*, p. 225.
[59] Jeffrey N. Wasserstrom, 'Locating Old Shanghai: Having Fits about Where it Fits', in Joseph W. Esherick (ed.), *Remaking the Chinese City: Modernity and National Identity, 1900-1950* (Honolulu: University of Hawai'i Press, 2000), p. 202.
[60] Cohen, *Discovering History in China*, p. 135.
[61] Cohen, *Discovering History in China*, pp. 144-5.

while Wasserstrom prefers to speak of 'quasi-colonialism' in China, but again the value of adding ever more terms to the glossary of Chinese studies in this way is questionable.[62] It is preferable to define clearly what is meant by the existing terms of 'semi-colonial' and 'informal empire' and apply them advisedly.

The concept of semi-colonialism has been applied beyond the political to the cultural realm. Shu-mei Shih's concept of the 'cultural politics' of semi-colonialism from the perspective of literary analysis is illuminating.[63] According to Shih, the westerners and Japanese in Shanghai pursued their own forms of modernity grounded in the political context of their respective colonialism and imperialism, which simultaneously aided in legitimating and disseminating imperialist ideologies. These forms of imperial modernity 'fundamentally affected modern Chinese cultural production.'[64] Shih uses the term semi-colonialism 'to describe the specific effects of multiple imperialist presences in China and their fragmentary colonial geography (largely confined to coastal cities) and control, as well as the resulting social and cultural formations.'[65] She argues that the term semi-colonialism conveys the significant fact that the competition between different colonial powers in China had a specific impact on the ways in which China was subordinated to them.[66] This thesis accepts the usefulness of the term 'semi-colonial' and uses it alongside 'informal empire' to characterise the nature of the foreign imperialism that was manifest in the Shanghai Municipal Council. Moreover, the study of the SMC in all its facets enables a more

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[62] Ruth Rogaski, *Hygienic Modernity: Meanings of Health and Disease in Treaty-Port China* (Berkeley: University of California Press, 2004), p. 11; Jeffrey N. Wasserstrom, *Global Shanghai, 1850-2010: A History in Fragments* (New York: Routledge, 2009), p. 38 and *passim* in Wasserstrom's work.
[63] Shu-mei Shih, *The Lure of the Modern: Writing Modernism in Semi-colonial China, 1917-1937* (Berkeley: University of California Press, 2001), pp. 30-40.
[64] Shih, *Lure of the Modern*, p. 30.
[65] Shih, *Lure of the Modern*, p. 31.
[66] Shih, *Lure of the Modern*, p. 32.

precise understanding of the nature of both semi-colonialism and informal empire to emerge.

As noted at the opening of this Introduction, the two most influential proponents of the notion of informal empire were Ronald Robinson and John Gallagher, dubbed 'the dynamic duo' by Stephen Howe.[67] Their groundbreaking article, 'The Imperialism of Free Trade', published 60 years ago, argued that British imperial policy followed the working rule of 'trade with informal control if possible; trade with rule when necessary'.[68] Informal empire was the preferred degree of colonisation both for reasons of economy and in adherence to the Victorian ideal of small government and minimal public expenditure. Thus, imperial expansion was dictated by the needs of free trade: sufficient controls were obtained to protect British trading interests around the world and kept to a minimum for the sake of economy, so only where informal influence was insufficient to safeguard these interests was the force of imperial Britain's military might brought to bear. The 'imperialism of free trade' thesis has been found to be more applicable to some regions than others: it does not explain the expense of maintaining full colonies in India and West Africa, for example. It is particularly appropriate, however, as a model in the case of China's treaty ports, where foreign trade was enabled and protected by the privileges of extraterritoriality, and notably Shanghai, where foreign privilege extended to comprehensive self-government in the form of the SMC. These conditions proved highly conducive to profitable business and Shanghai remained the largest economy in China past the period addressed by this study until it was overtaken by Hong Kong, Britain's only colony in China, in the volume of its trade

[67] Stephen Howe, 'The Slow Death and Strange Rebirths of Imperial History', *Journal of Imperial and Commonwealth History*, Vol. 29, No. 2 (May 2001), p. 132.
[68] Gallagher and Robinson, 'Imperialism of Free Trade', p. 13.

in 1958.[69] Key to this conception of informal empire is the role played by local collaborators (used in this context with no negative connotation), notably compradors in the Chinese case, and mediators in building relations with indigenous authorities.[70] In addition to these indigenous partners in the semi-colonial project, foreign authorities required local man-power for menial work, just as they did in formal colonies. This reliance on indigenous support was certainly manifest in Shanghai's International Settlement, where the vast majority of SMC employees were Chinese.

The Robinson-Gallagher thesis proved durable and influenced dozens of publications through the latter half of the twentieth century.[71] It was also highly controversial and a plethora of modifications were made with reference to different parts of Africa, Latin America and the Middle East, as well as Asia.[72] The first major attack came from Desmond Platt in 1968.[73] Platt agreed that trade and later finance were the primary concerns governing British foreign policy in China as in Latin America and the Middle East. He argued, however, that although this sometimes led to a show of violence in order to open markets, it did not entail political control and so should not be

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[69] Kerrie L. MacPherson, 'Invisible Borders: Hong Kong, China and the Imperatives of Public Health', in Milton J. Lewis and Kerrie L. MacPherson (eds.), *Public Health in Asia and the Pacific: Historical and Comparative Perspectives* (London: Routledge, 2008), p. 21.

[70] For an analysis of compradors, the collaborators who facilitated British business in the nineteenth century, see Hao Yen-p'ing, *The Comprador in Nineteenth-Century China: Bridge Between East and West* (Cambridge, Mass.: Harvard University Press, 1970). Hao also describes cooperation between Chinese and foreign businesses in *The Commercial Revolution in Nineteenth-Century China: the Rise of Sino-Western Mercantile Capitalism* (Berkeley: University of California Press, 1986), pp. 212-36.

[71] For a discussion of the Robinson-Gallagher thesis in historiography, see William Roger Lewis (ed.), *Imperialism: the Robinson and Gallagher Controversy* (New York: New Viewpoints, 1976).

[72] These include Roger Owen's research on central Asia, Richard Graham's work on Latin America and numerous contributions on the partition period in African history. Roger Owen, *The Middle East in the World Economy, 1800-1914* (London: I. B. Taurus, 1993); Richard Graham, *Britain and the Onset of Modernization in Brazil 1850-1914* (Cambridge: Cambridge University Press, 1968); Peter Morris, *Africa, America and Central Asia: Formal and Informal Empire in the Nineteenth Century* (Exeter: University of Exeter, 1984), and others.

[73] D. C. M. Platt, 'The Imperialism of Free Trade: Some Reservations' *Economic History Review*, New Series, Vol. 21, No. 2 (August 1968), pp. 296-306. Platt presented a further critique in 'Further Objections to an "Imperialism of Free Trade", 1830-60', *Economic History Review*, New Series, Vol. 26, No. 1 (April 1973), pp. 77-91. He presented his own analysis of the significance of trade and finance on British foreign policy in *Finance, Trade, and Politics in British Foreign Policy 1815-1914* (London: Oxford University Press, 1968).

classified as imperialism.[74] Platt is rather too convinced by voices such as that of Sir Claude MacDonald, whom he quotes addressing a dinner of the China Association in 1899 saying:

> British enterprise in China must be independent, individual and self-reliant. The moment it ceases to be this and leans too much on State assistance, it ceases to be enterprise, indeed I may say it ceases to be British.[75]

Platt goes on to describe a similar declaration of the principles of British policy in China, that 'We have no territorial or imperialistic aims', as the best 'statement on British official motives since 1834.'[76] But as this thesis makes clear, the SMC certainly did have 'territorial' and 'imperialistic aims', though it might have been as willing as the Foreign Office to deny them. Platt's key point of contention with Robinson and Gallagher was that the policy underlying British involvement in China did not change from the desire to ensure access for British trade and finance without securing political control, despite the changing circumstances within China.[77]

Peter Cain and A. G. Hopkins agreed with Robinson and Gallagher that economic concerns were central to a form of imperialism which preferred to engage in informal control where possible, enforcing formal rule only when deemed necessary to protect British economic interests.[78] But for Cain and Hopkins, those interests were dominated by financiers in London rather than local factors. The Cain and Hopkins model of 'gentlemanly capitalism' has been widely criticised and aspects of it have been largely discredited. Niels Petersson provides a nuanced critique of the concept in the

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[74] Platt, *Finance, Trade, and Politics*, pp. 263-5.
[75] Platt, *Finance, Trade, and Politics*, p. 289, quoting from Pelcovits, *Old China Hands and the Foreign Office*, p. 235.
[76] Platt, *Finance, Trade and Politics*, p. 304, with quotation from a Foreign Office Memorandum of 1930.
[77] Platt, *Finance, Trade and Politics*, p. 307.
[78] Peter Cain and A. G. Hopkins, 'Gentlemanly Capitalism, and British Expansion Overseas: New Imperialism, 1850-1945', *Economic History Review*, 2nd series, Vol. 40, No. 1 (1987), pp. 1-26; *British Imperialism, 1688-2000* (Harlow: Longman, 2002).

case of China, concluding that only the period 1905 to 1911 could accurately be described as characterised by gentlemanly capitalism, being the only time when the different forms of imperialism at work in China coincided in their strategies.[79]

Louise Guenther's study of the British community in Brazil brings a fresh approach to the study of informal empire.[80] The British in Bahia in the first half of the nineteenth century sought to preserve their 'Britishness' and identify themselves with the British Empire, much as their counterparts in Shanghai a century later would do. Guenther's volume is, however, an historical anthropology of this community and, as with much recent writing on informal empire, engages little with the politics of semi-colonialism.[81] In this, the literature on the everyday workings of informal empire lags somewhat behind that for the formal empire.[82] Historians of informal empire have largely been focussed on Latin America, where European influence was exercised through the infrastructure of trade.[83] Imperial expansion in Latin America, however, lacked the degree of self-governance that foreign settlers and expatriates enjoyed in China, most notably in Shanghai, making the latter a more apt subject for the application of the term 'semi-colonialism'. James Onley's examination of the British reliance on native agents in its informal imperial governance of Bahrain provides a case

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[79] Niels P. Petersson, 'Gentlemanly and Not-so-Gentlemanly Imperialism in China before the First World War', in Shigeru Akita (ed.), *Gentlemanly Capitalism, Imperialism and Global History* (Basingstoke: Palgrave Macmillan, 2002), p. 116. The other papers found in this section of the volume together provide a comprehensive critique of the arguments of Cain and Hopkins in the context of informal empire in East Asia.

[80] Louise H. Guenther, *British Merchants in Nineteenth-Century Brazil: Business, Culture, and Identity in Bahia, 1808–1850* (Oxford: Centre for Brazilian Studies, 2004).

[81] Guenther would fall foul of Britten Dean's criticism that much of the literature on informal empire focuses on 'British attitudes' rather than on 'concrete circumstances'. Dean, 'British Informal Empire', p. 75.

[82] Work on the nature of governance in the British Raj and in African colonies is more developed. See Peter Burroughs, 'Imperial Institutions and the Government of Empire', in Porter (ed.), *Oxford History of the British Empire*, Vol. 3: *The Nineteenth Century*, pp. 170-97.

[83] For an up-to-date overview, see Brown (ed.), *Informal Empire*.

study on the nature of another corner of informal empire,[84] closer in some ways to the Chinese case in terms of the role played by compradors, noted above.

According to Jürgen Osterhammel, there are two alternatives in formulating a framework for the use of the concept of informal empire. The first is to take an ideal type of what constitutes informal empire, and assess how the reality measures up to the ideal. The second is to build a model that incorporates both important features of the ideal type and the basic characteristics of the reality of how informal empire was practiced in China.[85] The present thesis adopts the second approach and develops a new understanding of the nature of informal empire and semi-colonialism from a consideration of how the Shanghai Municipal Council functioned on the ground. Osterhammel identifies ten features of the ideal type of informal empire, though he stresses that it is not necessary or even likely for all ten to be present in an area for it to belong to the category of informal empire. Without wishing to quote all ten features, suffice it to say that they centre around the notion that a weaker country is exploited by a stronger country in pursuit of its real or perceived interests through the exercise of control over the weaker country's domestic and foreign policy-making, the maintenance of a military presence and strong economic establishment in the weaker country, and the support of local collaborators.[86] Almost all of Osterhammel's ten features are true of Britain's presence in Shanghai, arguably much more than they apply to Latin America or anywhere else in the world. Osterhammel's definition moves beyond the narrow attachment to the application of economic criteria which led Britten Dean to claim there was no such thing as informal empire, at least in the case of Sino-British relations.[87]

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[84] James Onley, *The Arabian Frontier of the British Raj: Merchants, Rulers, and the British in the Nineteenth Century Gulf* (Oxford: Oxford University Press, 2007).
[85] Osterhammel, 'Semi-colonialism and Informal Empire', p. 299.
[86] Osterhammel, 'Semi-colonialism and Informal Empire', pp. 297-8.
[87] Dean, 'British Informal Empire', p. 76.

Osterhammel's keen desire to see China's important place within British imperial ambition recognised is apparent in his contributions to *The Oxford History of the British Empire*. Osterhammel argues that from Lord Macartne mission to the Qianlong Emperor in 1792, 'China figured in grand designs of market conquest and global influence' and that 'From the mid-nineteenth-century, China formed an integral part of the military, economic, and mental history of European and, in particular, of British imperialism.'[88] He locates Shanghai's International Settlement as a key component of British informal empire in China, noting that it took imperial encroachment far beyond the purview of the treaties agreed between China and the foreign powers. Yet for Osterhammel, these treaties 'were the legal infrastructure of informal empire', forming its core.[89] In fact, he equates Shanghai with Hong Kong as part of the formal empire which was far more apparent to ordinary Chinese than the legalistic informal empire of the treaties and consulates.[90] This thesis agrees with the importance Osterhammel attaches to the everyday experience of the SMC by the residents of the International Settlement, but argues that its independence from direct colonial authority in London and the involvement of nationals other than Britons in running it marks the Settlement as semi-colonial rather than fully colonial in the way that Hong Kong was.

Ann Stoler argues that the kind of imperialism found in Central and East Asia, without clear borders and bounded polities, was and is the norm rather than the exception.[91] In strong terms, she accuses colonial studies of subscribing 'to a myopic view of empire that sidelines a wide range of imperial forms as anomalous, casting their

[88] Jürgen Osterhammel, 'Britain and China, 1842-1914', in Andrew Porter (ed.), *The Oxford History of the British Empire*, Vol. 3: *The Nineteenth Century* (Oxford: Oxford University Press, 1999), p. 146.
[89] Osterhammel, 'Britain and China', p. 153.
[90] Osterhammel, 'Britain and China', p. 164.
[91] Ann Laura Stoler, 'On Degrees of Imperial Sovereignty', *Public Culture*, Vol. 18, No. 1 (2006), p. 128.

political and territorial ambiguities as idiosyncratic.'[92] By contrast, she advocates seeing imperial formations 'as scaled genres of rule that produce and count on different degrees of sovereignty and gradations of rights.' [93] She therefore rejects the characterisation of imperial formations that do not fit the classic European model of conquest, settlement and the confiscation of property as peripheral forms. This includes the notion of 'informal empire', which Stoler rejects along with 'indirect rule' as merely 'unhelpful euphemisms' for imperialism and part of a 'scholarly vocabulary [that] defers to the terms of empires themselves'.[94] It is certainly not the intention of this thesis to provide an apology for British imperialism in Shanghai, but it is necessary to employ terminology that differentiates the British domination of the International Settlement from formal annexation. I certainly subscribe, however, to Stoler's call for non-classical forms of imperialism to be given due attention by scholars.

A conference held at the University of Bristol in 2007 on informal empire in Latin America concluded rightly that Stoler was wrong to dismiss the term informal empire out of hand.[95] Matthew Brown cited Frederick Cooper in refuting her argument to make the important point that if all unequal power relations were alike designated simply as forms of imperialism there would be no way in which to distinguish between them.[96] In seeking to render it a useful working concept, Brown put forward his own definition of informal empire: he identified 'a three-dimensional framework that posits commerce, capital and culture as three interdependent and mutually reinforcing influences that limited local sovereignty.' He went on:

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[92] Stoler, 'On Degrees', p. 127.
[93] Stoler, 'On Degrees', p. 128.
[94] Stoler, 'On Degrees', p. 136.
[95] Matthew Brown, 'Introduction', in Brown (ed.), *Informal Empire*, p. 20.
[96] Frederick Cooper, *Colonialism in Question: Theory, Knowledge, History* (Berkeley: University of California Press, 2005), p. 15, cited in Brown, 'Introduction', p. 20.

> Where one of those three conditions is lacking, no informal empire can be said to exist. The tentacles of informal empire must be found on the ground and in the mind. They must have an empirically demonstrable reality of asymmetrical power and of a measurable control being exerted; but also a cultural underpinning in the minds of the citizens and nations whose sovereignty is being compromised. Informal empire must be lived, and known, if it is to exist.[97]

This definition is certainly applicable to the case of Shanghai. But Brown was thinking primarily of Latin America, where 'commerce, capital and culture' were indeed key. In China, however, and in Shanghai in particular, political power lay at the heart of the foreign encroachment. This thesis therefore advocates my own simple definition given at the beginning of this section: informal empire is the extension of political, economic and cultural control by an imperial power, without formally subjecting it to the central imperial authority of the metropolis.

The Chinese literature

The Republican period has been very much in vogue among Chinese historians in recent years, so this study is able to capitalise on material presented in the Chinese secondary literature which is at present unavailable in the English language.[98] Traditionally, the May Fourth Movement of 1919 has been characterised within Chinese historiography as the turning point from modern to contemporary history, as the dawning of a new era in which the semi-feudal and semi-colonial order was challenged, a process which

[97] Brown, 'Introduction', p.21.
[98] This includes the collection of essays in Shanghai Municipal Archives, *Shanghai zujie zhi* (Annals of the Shanghai concessions) (Shanghai: Shanghai shehui kexue chubanshe, 2001) and Shi Meiding and Ma Zhanghlin (eds.), *Shanghai zujie zhi* (*Records of the Foreign Concessions of Shanghai*) (Shanghai: Shanghai shehui kexueyuan chubanshe, 2001).

culminated with the 1949 victory of the Communist Party.[99] The period addressed by this thesis would thus be seen as straddling the transition from the penultimate stage in the Marxist-Leninist periodisation of history and the final, socialist era. More recently, however, Chinese historians have challenged this division, choosing instead to follow the semi-colonial and semi-feudal characterisation of Chinese history right up to the 1949 declaration of the People's Republic.[100] Either way, semi-colonialism is critical to Chinese interpretations of twentieth-century history.

Historians in the PRC are limited in their analysis of historical issues, due both to the constrictions of publishing in a political climate where censorship remains a significant force and also to the comparatively short time the Chinese academy has had to develop since Deng Xiaoping's launch of the opening up policy at the start of the 1980s. C. M. Turnbull noted in 1999 that although the opening up policy 'broke down the decades-long physical isolation among scholars' and 'to a degree facilitated research and exchange of ideas,... it did not soften the orthodox interpretation of imperialism among China's historians.'[101] Chinese researchers also face the difficulty of lack of access to archives in the west. Chinese scholarship is, however, detailed and thorough in its narrative of historical accounts, due in part to the emphasis on historical materialism, making it useful to the present study. Moreover, Chinese historians are increasingly testing the waters of the censor's bureau in terms of what can and cannot be said, so this

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[99] This literature is surveyed in Sha Jiansun and Gong Shuduo, *Wusi yundong yu ershi shiji Zhongguo de lishi daolu* (*The May Fourth Movement and the Path of 20th Century Chinese History*) (Bejing: Renmin chubanshe, 2001). This emphasis on the May Fourth Movement as a moment of transition is not unique to the Chinese literature: Rana Mitter takes the same incident as his flashpoint in the formation of modern China. Rana Mitter, *A Bitter Revolution: China's Struggle with the Modern World* (Oxford: Oxford University Press, 2004), especially pp. 1-25.

[100] Zhang Haipeng, 'Introduction: Contemporary Historiography of China', International Committee of Historical Sciences Symposium on Chinese Historiography, 16 September 2007, at the Chinese Academy of Social Sciences, Beijing. <http://www.cish.org/GB/Evenements/CASSIntro.htm>, accessed 27 June 2009. Zhang is the Vice President and Secretary-General of the Association of Chinese Historians.

[101] C. M. Turnbull, 'Formal and Informal Empire in East Asia', in Robin W. Winks (ed.), *The Oxford History of the British Empire*, Vol. V: *Historiography* (Oxford: Oxford University Press, 1999), p. 399.

body of literature is increasingly significant, with a notable change in this direction in just the intervening decade since Turnbull wrote her contribution to *The Oxford History of the British Empire*. Journal articles are generally less tightly regulated than books and have been useful to the present study. As in the western literature, certain aspects of Shanghai's history have attracted particular attention from various different scholars. Shanghai's Mixed Court, for example, has been the subject of numerous articles.[102] Public health in the concessions has also attracted the attention of a number of historians, most notably Hu Cheng (湖城) who has published in the mainland and in Taiwanese journals.[103]

There is considerable interest among Chinese scholars in both the People's Republic and Taiwan in the history of the council and its Settlement. The SMC is literally termed the 'works bureau' (*gongbu ju* 工部局) in Chinese, while the International Settlement is translated variously as the 'public concession' (*gonggong zujie* 公共租界), 'British concession' (*Ying zujie* 英租界) or 'British-American concession' (*Ying-Mei zujie* 英美租界).[104] The latter two Chinese names for the

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[102] Hu Zhen, 'Shanghai gonggong zujie huixie faquan zhi bianqian (1911-1912)' ('The Transformation of the Legal Rights in the Shanghai Mixed Court of International Settlement from 1911 to 1912'), *Shixue yuekan* (April 2006), pp. 51-6; Li Huijuan, 'Lun Shanghai gonggong zujie hunhe fating' ('The International Mixed Court of Shanghai') *Zhuzhou shifan gaodeng zhuanke xuexiao jiaoxuebao*, Vol. 11, No. 3 (June 2006), pp. 48-51. There is also an English language literature on the Mixed Court, from Kotenev writing in the 1920s to the recent studies by Tahirih Lee and Thomas Stephens. A. M. Kotenev, *Shanghai: Its Mixed Court and Council* (Shanghai: North-China Daily News & Herald, 1925); Tahirih V. Lee, *Law and Local Autonomy at the International Mixed Court of Shanghai* (Unpublished PhD Thesis, Yale University, 1990); Thomas B. Stephens, *Order and Discipline in China: the Shanghai Mixed Court 1911-27* (Seattle: University of Washington Press, 2002).

[103] Hu Cheng's most recent article on the subject is 'Cong "bu weisheng" de huaren xingxiang: Zhong wai jian de butong shu - yi Shanghai gonggong weisheng wei zhongxin de guancha (1860-1911)' ('The Image of the "Unsanitary Chinese": Differing Narratives of Foreigners and Chinese – Observations Based on Hygiene in Shanghai, 1860-1911'), *Jindai shi yanjiu suo jikan*, No. 56 (June 2007), pp. 1-43. See also Song Zhongmin, 'Shanghai gonggong zujie de kuangquanbing fangzhi' ('The Prevention and Cure of Rabies in the Foreign Settlement of Shanghai'), *Dang'an yu shixue*, No. 5 (2001), pp. 68-69, and Liu Wenxue, 'Shanghai gongbuju shipin weisheng guanli yanjiu 1898-1943' ('Research on the Management of the Public Hygiene of Foodstuffs by the Shanghai Municipal Council 1898-1943'), *Shilin*, No. 1 (1999), pp. 64-82. This body of literature is useful to the present study.

[104] These terms were all employed by contemporaries of the SMC as well as being used by Chinese today.

Settlement perhaps more accurately represent its true character as heavily dominated by the British and, to a lesser extent, Americans. Describing it as a 'public concession', however, carries connotations of openness and public ownership which seem a far cry from the reality of a settlement under the management of the SMC, elected by a privileged few from among an even smaller number of men eligible to be councillors. Meanwhile, the term 'works bureau' is taken from the similar bodies which existed in Victorian England around the time of the establishment of the council in 1854 for the provision of basic public works.[105] It thus accurately represents the original function of the SMC, simply overseeing the maintenance of public roads, waterworks, cemeteries and so on, but gives no indication of the broad swathe of services undertaken by the council by the twentieth century that are investigated in this thesis.

Chinese scholars, particularly in the PRC, are interested in points of tension between foreigners and Chinese in the Settlement, such as Hu Cheng's (胡成) investigation into the clashes between the two groups over the 1910 outbreak of plague.[106] Yet historians on both sides of the Straits have in the last two decades come to something of a consensus that the British presence in cities like Shanghai promoted China's modernisation.[107] At a conference held in Shanghai in 1992, two eminent Chinese professors of history, Zhang Zhongli (Director of the Shanghai Academy of Social Sciences) and Pan Yunxiang (Director of the Shanghai History Museum) portrayed China as a passive receiver of modernisation from the west, primarily through

[105] Significantly, these municipal bodies were no more democratic than the SMC.
[106] Hu Cheng, 'Jianyi, zhongzu yu zujie zhengzhi – 1910 nian Shanghai shuyi bingli faxianhou de hua yang chongtu' ('Quarantine, Race and Politics in the International Settlement: Clashes between Chinese and Foreigners after the Outbreak of Plague in Shanghai in 1910'), *Jindai shi yanjiu* (April 2007), pp. 74-90.
[107] Osterhammel, 'Britain and China', p. 148. This is in evidence in, for example, Shi Meiding and Ma Zhanghlin (eds.), *Shanghai zujie zhi*.

the foreign presence in Shanghai.[108] So while the SMC is denigrated as an imperialist body, disenfranchising the Chinese and excluding them from its public parks,[109] it is nevertheless portrayed as an unwitting benefactor of China as a whole by introducing the advantages of modern society. Most of the Chinese literature approaches the history of the British presence in China as a story of foreign impact and Chinese response, in the vein of Fairbank's generation of historians. There is perhaps nevertheless a limited appreciation of the ways in which the British-dominated council was independent from the formal diplomatic avenues of power through the consuls to the British imperial state in London. As explained above, and in contrast to the French Concession, the consular body had no formal authority over the Shanghai Municipal Council, and although the latter appealed to the British government for support in times of difficulty, it was proud of its independence and autonomy. Although Xiong Yuezhi (熊月之) and his colleagues go into some depth in their study of Shanghai's foreign community, the nature of its links with the consular body and home governments is not fully explained.[110]

Many book-length studies in Chinese seek to straddle the line between academic work and popular history, fulfilling the long-standing Chinese Communist Party line that academic work should serve the role of educating the public,[111] and capitalising on

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[108] Zhang Zhongli and Pan Yunxiang, "The Influence of Shanghai's Modernization on the Economy of the Yangzi Valley," in Frederic Wakeman, Jr. and Wang Xi (eds.), *China's Quest for Modernization: A Historical Perspective* (Berkeley: University of California Press, 1997), p. 284.

[109] For a discussion of the widely accepted but mistaken view that Chinese were banned throughout the period (whereas they were belatedly admitted from 1928) by a sign with wording banning 'Dogs and Chinese' when such a sign never existed, see Robert Bickers and Jeffrey N. Wasserstrom, 'Shanghai's "Chinese and Dogs Not Admitted" Sign: Legend, History and Contemporary Symbol', *China Quarterly*, No. 142 (June 1995), pp. 423-43.

[110] Xiong Yuezhi et al (eds.), *Shanghai de waiguoren* (*Foreigners in Shanghai*) (Shanghai: Guji chubanshe, 2003).

[111] This dates to the early days of the Chinese Communist Party. The Yan'an Rectification Campaign which began with Mao Zedong's speech "Reform in Learning, the Party and Literature" on 1 February 1942, combined with his 1945 "Resolution on some Historical Questions", laid the framework according to which all modern Chinese history would be written until the 1990s. Boyd Compton (ed.), *Mao's China: Party Reform Documents, 1942-1944* (Seattle: University of Washington Press, 1952), pp. 23-25, and Mao Zedong, *Selected Works of Mao Tse-tung* (Beijing: Foreign Languages Press, 1965) Vol. III, pp.

a swell of public interest in Shanghai's rich yet shady past. Such volumes often simply repeat the chronology of treaty-port history and well-rehearsed perspectives on the exploitative nature of Sino-foreign relations.[112] There are also, however, a number of publications pursuing more independent lines of enquiry and encouraging interaction with foreign scholars. A useful example of such collaborative work is a 2003 volume on Shanghai's foreign concessions edited by Ma Changlin (马长林), arguably the foremost Chinese scholar, alongside Xiong Yuezhi, on the history of the International Settlement, with contributions from twenty Chinese scholars along with the notable foreign historians Bryna Goodman, Christian Henriot and Robert Bickers.[113] The volume is divided into five sections to provide a comprehensive overview of how the history of the International Settlement and French Concession intersects with the areas of the economy, culture, society, and foreign relations, with the final section devoted to the institutional management of the concessions. Here, scholars cover the Shanghai Municipal Council and, to a lesser extent, the French *Conseil municipal* and how they managed public security, public works and public health. Although public security has been researched in the western literature by Frederic Wakeman and Robert Bickers,[114] and Kerrie MacPherson made a comprehensive survey of the development of public health provision up to 1893,[115] this institutional approach has been largely absent from western considerations of the foreign presence in Shanghai. It is highly pertinent to the present study.

195-96. For more on Chinese historiography under Mao, see Albert Feuerwerker (ed.), *History in Communist China* (Cambridge, Mass.: MIT Press, 1968).

[112] Ma Changlin's 2009 volume is one addition to this genre. Ma Changlin, *Shanghai de zujie* (*The Foreign Concessions of Shanghai*) (Tianjin: Tianjin Education Press, 2009).

[113] Ma Changlin (ed.), *Zujie li de Shanghai* (*Shanghai in Foreign Concessions*) (Shanghai: Shanghai shi dang'anguan, 2003).

[114] Wakeman, *Policing Shanghai* and *Shanghai Badlands*; Bickers, *Empire Made Me* and 'Who Were the Shanghai Municipal Police, and Why Were They There? The British Recruits of 1919', in Bickers and Henriot (eds.), *New Frontiers*, pp. 170-91.

[115] Kerrie L. MacPherson, *A Wilderness of Marshes: The Origins of Public Health in Shanghai, 1843-1893* (Hong Kong: Oxford University Press, 1987).

Overall, historians in the People's Republic have over the last two decades systematically produced a comprehensive and detailed overview of the history of Shanghai in the Republican era which integrates its foreign community into the broader historical narrative.[116] A major volume on the management of the International Settlement by Ma Changlin, Li Xia (黎霞) and Shi Lei (石磊) was published shortly before this thesis was completed.[117] It represents the latest research on the practical contribution of the SMC to the urban development of Shanghai, consisting of three sections devoted to public sanitation, public works, and utilities. This thesis complements this focus within the Chinese literature by placing these functions of the council in the context of the powers and limitations of the SMC within the political environment of Shanghai.

The Work of the Shanghai Municipal Council

Shanghai's International Settlement had a population of 1.12 million in 1935 (of whom 39,000 were foreign residents) and such a population naturally had a great many pressing needs to be addressed by its governing body.[118] The emerging concerns which were precipitating change in the imperial metropolis, such as increased awareness of the need for public hygiene and righteous indignation over the exploitation of, in particular, women and children in factories, arrived first in China in Shanghai's International Settlement. SMC action on these issues was shaped by changing British imperial

[116] The largest single contribution to this process came in 1999 with the mammoth 15 volumes of the *Shanghai tongshi*. Xiong Yuezhi (chief ed.), *Shanghai tongshi* (*General History of Shanghai*), 15 vols. (Shanghai: Shanghai renmin chubanshe, 1999).
[117] Ma Changlin, Li Xia and Shi Lei, 'Shanghai gonggong zujie chengshi guanli yanjiu' ('Research on the Urban Management of the Shanghai International Settlement') (Shanghai: Zhong xi shuju, 2011).
[118] Shanghai Municipal Council, *Report for the Year 1935 and Budget for the Year 1936* (Shanghai: Kelly & Walsh, 1935; hereafter, for example, SMC, *Report for 1935*), pp. 50-51.

concerns, which affected practice throughout the empire, and by new international standards set by such bodies as the League of Nations.

Many technological advances in transportation and communication of the period, from tarmacadamed roads to the telephone, which enabled everyday life and trade to be conducted with greater ease and comfort, were similarly introduced to China through the Settlement.[119] But the balancing act between serving business interests, which always dominated the council's membership and agenda, and giving in to pressure for change from within and outside the Settlement was a constant source of tension for the SMC. This thesis explores how the council went about bringing such changes to the Settlement, whether in response to pressure from outsiders, or under pressure from within, or even as an expression of the council's own desire to be a beacon of civilisation in what was routinely perceived as the stagnant backwater of China, as with ensuring the provision of the electricity which powered this vibrant city.[120] The committees which transformed the decisions taken in the council chamber into practice on the streets of Shanghai were often the drivers of such change and innovation. The work of the Staff, Finance, Watch, Public Health, and Industrial and Social Committees are examined in order to explore the relationship between policy formulation and implementation.

The International Settlement did not, of course, exist in isolation from the rest of China and the political changes which gathered pace as the century advanced had to be accommodated, if reluctantly, by the members of the SMC and the ratepayers whom

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[119] Frank Dikötter rightly cautions, however, against the assumption that 'modernity' was imposed from outside, arguing that Chinese elites and ordinary people often keenly embraced new innovations of their own volition. Frank Dikötter, *Things Modern: Material Culture and Everyday Life in China* (London: Hurst, 2007), pp. 4-5 and *passim*.

[120] The German firm which first introduced electricity to China in the International Settlement in 1882 was bought in 1893 by the SMC, which operated it until 1929. G. C. Allen and Audrey G. Donnithorne, *Western Enterprise in Far Eastern Economic Development: China and Japan* (London: Allen & Unwin, 1954), p. 145.

they represented. The massive influx of people fleeing the political turmoil surrounding the 1911 revolution created serious over-crowding,[121] leading to a variety of problems which the SMC had to address as best it could. Subsequently, the Settlement's status as a haven became more acute during the years of competition for influence between rival warlords. A more direct response was necessary from the council as, with the upsurge of nationalism in the 1920s, Chinese political representation became unavoidable. This development fundamentally changed the character of the SMC and is examined here in terms of how the presence of Chinese council members from 1928 altered the nature of the workings of the council and the issues it addressed. Previous scholarship has focused on the developments which led to the acceptance of Chinese council members,[122] but far less work has been done on their effect once they took up their posts.[123] Of course, Chinese had held official positions within the administrative structure of the International Settlement almost from its inception (in the police force, for example); as noted above, and just as in the formal empire, imperial rule depended on the work of cooperative local people. The advent of Chinese councillors, however, heralded a new period of direct engagement with the overwhelming majority Chinese population of the Settlement, which brought significant changes to the functioning of the council.

During the Nanjing decade from 1927, the SMC at times married its interests with those of the Guomindang (Nationalist) government, for example in aiding the Chinese authorities in their efforts to suppress Communism, but more often the relationship with the Chinese authorities was tense. Conflicts characterised the period and created opportunities and difficulties for the SMC. Ultimately the Sino-Japanese

[121] As had earlier such influxes: the first in the wake of the Small Sword Uprising in 1853, followed by the much larger movement of people during the early 1860s at the time of the Taiping Rebellion.
[122] Notably Clifford, *Spoilt Children of Empire*, especially pp. 149-53.
[123] Although Clifford touches upon this: Clifford, *Spoilt Children of Empire*, pp. 263-66.

War of 1937-45 brought the existence of the council and the Settlement to an end.[124] The Land Regulations which governed the Settlement and granted the SMC its mandate to manage it were suspended by the consular body in April 1941 and a consular-appointed council was established under the Provisional Council Agreement. This signalled the end of the SMC as an autonomous body, as the western powers attempted to block Japanese attempts to monopolise it. Thereafter the Japanese takeover of the council was, in the words of Robert Bickers, 'slow, legalistic, and undertaken with due decorum.'[125] Allied councillors resigned at Japanese request in January 1942, but continued to serve on committees, while most Allied staff remained in post. On 10 October 1942, Britain and the United States declared their renunciation of extraterritorial rights in China, ratified first in the Sino-British Friendship Treaty of February 1943, which formally returned the International Settlement to Chinese control. The other western powers followed suit. For Shanghai's foreigners, especially those in the employ of the SMC like Eleanor Hinder (who noted the coincidence that this announcement came on the anniversary of the founding of the Republic of China), this marked the 'end of an era'.[126] Indeed, Hinder claimed that for 'those who considered that the special privileges were overdue for abrogation, the news was welcome', suggesting she counted herself among those for whom the extraterritorial rights of the foreign powers had been rendered obsolete by the events of the preceding decade, though she was of course writing with the benefit of hindsight. The aggressive imperialism of Japan made any form of foreign imperial presence in China an aberration that Chinese nationalism, which had been growing since the beginning of the century,

[124] The process is documented in Robert Bickers, 'Settlers and Diplomats: the End of British Hegemony in the International Settlement, 1937-1945', in Henriot and Wen-hsin Yeh (eds.) *In the Shadow of the Rising Sun*, pp. 229-56.
[125] Bickers, 'Settlers and Diplomats', p. 247.
[126] Eleanor M. Hinder, *Life and Labour in Shanghai: A Decade of Labour and Social Administration in the International Settlement* (New York: Institute of Pacific Relations, 1944), p. vii.

could no longer tolerate. But the Japanese kept the council functioning until August 1943, and even maintained the use of English for council business, including in correspondence between Japanese, well into that year.[127] As Robert Bickers explains, the Japanese civil and military authorities saw value in preserving 'the fiction of normality' of a neutral, foreign-run administration in Shanghai. But the fiction had to come to an end, and in August 1943 the Settlement ceased to exist as an administratively distinct area of the city. War had succeeded where Chinese nationalism had not, in abolishing the aberration of an authority (the SMC) managing a territory (the International Settlement) which it could not legally claim as its own.

Sources

Until the end of the twentieth century, scholars of Shanghai in this period depended upon the available sources in the diplomatic archives of, for example, Britain's Foreign and Colonial Offices and consular records at the US National Archives, and individual papers and printed materials from people and institutions based in 'Old Shanghai'. This dissertation consults these sources, but is also able to exploit the archives of the Shanghai Municipal Council, which only opened comparatively recently and which enable us to examine fresh material to address the question of how the council ran the International Settlement in a depth never possible before. The minutes of the committees of the SMC are key to uncovering how they operated, the reforms they initiated and how these were implemented. Committee minutes, unlike the minutes of the full council's meetings, were kept secret from contemporary investigators, which caused some resentment and suspicion at the time but increases their value to the

[127] Bickers, 'Settlers and Diplomats', p. 249. The final annual report, for 1942, published in July 1943, was issued in English as well as Japanese and Chinese.

historian as they often report candidly exchanges which were kept from the public record. Council correspondence also supplements the municipal minutes.

Newspaper reports of key developments in the city's administration are consulted for a different perspective on developments in the Settlement, particularly the *North-China Herald* (*NCH*), the most widely-circulated foreign-language newspaper in China at this time, and the most well-established Chinese-language newspaper, *Shenbao*. The latter provides the main source of insight into contemporary Chinese perspectives on council activities, which is of course limiting as *Shenbao* had a particular editorial stance which was not a simple reflection of the views of its readers or the much wider public, the majority of whom were illiterate.[128] Nonetheless, it does provide a valuable indication of issues which resonated particularly with the more politically active sections of Shanghainese society and some of the views expressed within it. British newspapers, notably *The Times* and the *Manchester Guardian,* alongside Hansard records of parliamentary debates, give an indication of the importance attached to events in Shanghai back in the imperial metropolis. Of course, neither these newspapers nor the *NCH* can be used uncritically as a reflection of public opinion any more than *Shenbao*. Indeed, the *Herald* had at times (it varied according to the political leanings of the editor) a particularly strong editorial line, fiercely British and imperialistic in flavour and exemplary of the narrow 'Shanghai Mind' as characterised by Arthur Ransome.[129] Its readership included a diverse section of British expatriates and settlers from diplomats and missionaries to the ordinary working men among the Shanghailander population, as well as Chinese readers, some of whose letters to the editor can be found

[128] Bryna Goodman, for example, found that *Shenbao* created a nationalist motivation for a riot by the Ningbo community in Shanghai in 1898, which had in reality been grounded in native-place identity. Bryna Goodman, 'The Locality as Microcosm of the Nation? Native Place Networks and Early Urban Nationalism in China', *Modern China*, Vol. 21, No. 4 (October 1995), pp. 393-4.

[129] Arthur Ransome, 'The Shanghai Mind', in Arthur Ransome, *The Chinese Puzzle* (London: Unwin, 1927), pp. 29-32.

within its pages, and subscribers further afield in Hong Kong and beyond. The *NCH* cannot be said to have represented such a varied cross-section of life, though there is no denying its influence and its editors appear to have sought to mould their readers to their own view of the treaty-port world through a consistently pro-British stance.

Other major bodies of sources consulted include Eleanor Hinder's published works and archived papers at the State Library of New South Wales, Sydney, and reports of investigations conducted by the League of Nations and the SMC's own Child Labour Commission. Hinder was of course no impartial observer of the work conducted by the Industrial Division, but the use of this combination of sources from the perspective of the Division, the council, independent investigators and members of the public allows a balanced assessment to be made of this revealing aspect of the council's work.

Structure of the thesis

The thesis consists of five substantive chapters, the first of which examines the councillors and staff of the Shanghai Municipal Council. It reveals how councillors were elected (or selected) and from what constituencies, with implications for the policies pursued by the council as the interests represented by the council members influenced their priorities. The composition of the council changed significantly over this period as councillors were elected by an evolving constituency of ratepayers, the most significant change being the admission of Chinese councillors from 1928. This major turning point is therefore examined in detail, building on work by Nicholas Clifford on how the change was brought about to consider the impact of the new Chinese councillors. The assessment of their role continues in the subsequent chapters. This first chapter also considers the staff employed by the council – Chinese and foreign,

junior and senior – including how they were recruited and the backgrounds which informed their municipal service. The vast majority of employees were Chinese, but the senior positions were almost universally occupied by Britons. Many of the British members of the council and the staff came to Shanghai after experience in other areas of British colonial influence, bringing ideas with them which influenced practice in Shanghai.[130] The different departments and committees of the council had to cooperate over staffing issues. For example, when seeking to increase the numbers of police constables, the Watch Committee would work through the Staff Committee with approval from the Secretariat and the Finance Committee. Quarters for staff had to be built and maintained by the Public Works Department (PWD) and staff were provided with treatment in the hospital under the auspices of the Public Health Department. Thus staffing gets to the heart of exactly how the council operated internally.

The second chapter establishes how the SMC gathered the revenues necessary for all its various activities: a crucial area which has been neglected in the literature. The chapter analyses the successes and difficulties experienced by the SMC in collecting taxes and raising loans, which provide a barometer of the strength of the council's position. The growing demands of the council through the period required ever greater revenues, and increases in taxation were opposed by ratepayers, especially the disenfranchised Chinese, yet in general the rates were paid by Chinese and foreigners alike. Taxation is not only a fundamental source of revenue for any government; it is also a sign of legitimacy. The capacity to exact payments from the inhabitants of the International Settlement demonstrates that the SMC enjoyed a sufficient degree of legitimacy in their eyes to do so. Such perceived legitimacy, in a council which had

[130] This builds on work by other historians on the way the careers of individuals could span many different parts of the formal and informal empire. See David Lambert and Alan Lester (eds.), *Colonial Lives Across the British Empire: Imperial Careering in the Long Nineteenth Century* (Cambridge: Cambridge University Press, 2006).

little authority to undertake many of its activities according to the treaties and regulations upon which its authority was based, demonstrates how areas of the informal empire could become an established part of the political landscape without the need for formal colonisation. Furthermore, the council's ability to raise loans depended on its credit-worthiness, which fluctuated with Shanghai's political stability. The council was therefore at pains to preserve both political and economic stability in order to fulfil its function of serving the inhabitants of the Settlement in such a way as to enable them to pursue their own economic and business interests.

This feeds into the third chapter's examination of the International Settlement as an expansionist and militarised colonial statelet. By 1900, the role of the Shanghai Municipal Council had grown dramatically from that first envisaged for its predecessor, the Committee of Roads and Jetties. The Settlement had been conceived initially as a small site in which foreign sojourners would live and work. In reality, however, from the 1850s the numbers of Chinese dwarfed the foreign population,[131] and the space given over to foreign control grew incrementally with successive extensions formalised in successive revisions to the Land Regulations in 1848, 1863, 1893 and 1899.[132] In the period under examination in this thesis, the process of expansion continued with efforts to extend roads built by the council beyond the boundaries of the Settlement, without the permission of the Chinese authorities. The SMC could then insist on managing these roads and exact rates from businesses and property holders along them. The council was bullish in its dealings with the Chinese authorities over this and other areas of contested authority, behaving as an aggressive, expansionist force throughout the first half of the

[131] The first significant influx of Chinese to the Settlement was precipitated by the Small Sword Uprising of 1853, followed by the much greater flow of refugees from the Taiping rebellion from 1860 onwards. This led to a massive property boom in 1863-64 and a subsequent bust. Feetham, *Report*, Vol. I, pp. 31-32.

[132] Yue, *Shanghai and the Edges of Empires*, p. 173.

period under examination. Key moments of tension in the twentieth century history of the Settlement are examined in this chapter to explore how the council created and exacerbate conflicts. Although the council was forced to scale back its expansionist ambitions in the face of a stronger Chinese state under the Nationalist government and growing popular Chinese nationalism, it remained highly militarised. The Shanghai Volunteer Corps and the municipal police force were regularly deployed in defence of the Settlement. This chapter therefore argues that the council functioned in many ways as a colonial statelet actively seeking to entrench its position, even as the political climate surrounding it made that position untenable in the long term. In this way informal empire in Shanghai resembled formal empire-building in the colonies. The chapter builds on the work discussed above by Nicholas Clifford, Robert Bickers and Tiina Airaksinen on relations between the British and Chinese of the Settlement in the 1920s.

The fourth chapter details the role of the Public Health Department, building on Kerrie MacPherson's thorough study of the period up to 1893. MacPherson argues that the extension of the powers of the SMC in the nineteenth century came as a result of the growth of the perceived need for action on public health.[133] This chapter therefore provides the second half of this story: how the council fulfilled its increased role in this area. Ruth Rogaski has provided an excellent study of how the experience of imperialism in Tianjin influenced Chinese notions of public health and the use of the term *weisheng* (衛生) to denote more than simple sanitation, hence her translation of the term as 'hygienic modernity'.[134] This understanding informs the chapter's examination of the ways in which the SMC sought to improve public health within the Settlement

[133] MacPherson, *Wilderness of Marshes*, p. viii.
[134] Rogaski, *Hygienic Modernity*, p. 2 and *passim*.

and how this process intersects with the image of the city as a centre of modernity. Public health measures required cooperation with the French and Chinese authorities in the city, but tensions and conflicts dogged such efforts. Public health was moving up the international agenda in this period, with the founding of the Pan-American Sanitary Bureau in 1902 and the *Office international d'hygiene publique* (OIHP) in Europe in 1907. After the First World War, the League of Nations was formed with its Health Organisation. The SMC was forced to address the public health needs of the International Settlement by the global climate of concern about the prevention of disease and by specific investigations into the health conditions of China. This chapter reveals how the SMC fulfilled one of its most important roles in the International Settlement, that of preserving and improving the health of its ever-increasing population. Changing conditions through the period and evolving expectations of the council's public health role reflect the challenges faced by semi-colonial authorities.

The fifth and final chapter undertakes a similar study of the council's role in industrial reform within the Settlement. Shanghai earned a reputation for industrial exploitation alongside the other vices for which it was known, and local and international pressure was brought to bear on the SMC to address the problem. Eventually it established an Industrial Section to try to bring about improvements in factory safety and working conditions, in response to action taken by the Chinese government. This chapter therefore offers further insights into the SMC's relationship with the Chinese authorities and with colonial and international actors such as the League of Nations International Labour Organisation. This chapter draws on work by Robin Porter on a generally under-researched topic,[135] as well as a number of studies into labour conditions in Shanghai in the period. S. A. Smith's investigation of

[135] Robin Porter, *Industrial Reformers in Republican China* (Armonk, NY: Sharpe, 1994).

nationalism and labour provides valuable background but does not go beyond 1927.[136] Emily Honig has made a comprehensive study of the position of women in Shanghai's cotton mills from 1919 until the birth of the People's Republic in 1949.[137] This chapter builds on the findings of these historians in establishing how and why council policy changed over the period, and the extent to which it met with success.

Finally, the Conclusion draws on the research presented in the preceding chapters to summarise the findings of the dissertation, principally that informal empire was more than the economic motivations for imperial expansion or the high politics of state-to-state relations through treaties and extraterritoriality, and much more than the outward appearance of colonial trappings in which foreign communities, particularly the British, actively sought to cloak themselves. Informal empire, for those, both indigenous and foreign, who lived in its outposts such as Shanghai, was fundamentally about the ways in which it facilitated the business of their everyday lives, about the changes it made in their working and living environments. This work was directed in the International Settlement by the Shanghai Municipal Council, a unique body based largely on English municipal governments, but with a degree of international input which included, from 1928, Chinese councillors. By studying the structure and activities of the SMC, this dissertation therefore presents an exemplar of transnational semi-colonialism in practice, with implications for our understanding of both Chinese history in this period and the nature of colonialism and semi-colonialism more broadly. Paul Cohen described 'imperialism, seen in meta-historical terms as the master-key to an entire century of Chinese history' as a myth, but 'as one force among several, operating

[136] S. A. Smith, *Like Cattle and Horses: Nationalism and Labor in Shanghai, 1895-1927* (London: Duke University Press, 2002).
[137] Emily Honig, *Sisters and Strangers: Women in the Shanghai Cotton Mills, 1919-1949* (Stanford: Stanford University Press, 1986).

in a wide range of concrete historical situations' as 'not only real but of critical explanatory importance.' He went on:

> The challenge for historians is to define with precision – with much greater precision than has generally been exercised in the past – the specific situations with regard to which imperialism was relevant and then to show *how* it was relevant. When this challenge has been met, we should end up with an understanding of the impact of imperialism on nineteenth- and twentieth-century China that is more complicated – and far more historically interesting – than anything presently available.[138]

Though issued in 1984, this challenge has still not been fully answered. This thesis, in providing a detailed history of how imperialism functioned in Shanghai through the semi-colonial body of the Shanghai Municipal Council, meets Cohen's challenge.

[138] Cohen, *Discovering History in China*, p. 147.

Chapter One: Councillors and Staff

'[Those who drew up the Land Regulations] determined ... to establish an electorate limited to those persons who (according to their ideas) were to be classed as "respectable" and confine the right to sit on the Council to the much smaller class of those who may perhaps be called "people of importance".'[1]

In order to understand precisely what the Shanghai Municipal Council was and how it functioned on a daily basis, it is necessary to study the people who made up the council, both its employed staff and the council members themselves. Councillors represented the public face of the SMC and it was hoped that they would be both 'respectable' and 'men of importance', as the opening quotation indicates, though in reality the two did not always go together. Foreign (non-Chinese, and in this context mostly British) councillors were drawn from two distinct groups: ex-patriots representing the big trading interests of Shanghai, and settlers who had made the city their home.[2] They represented the moneyed, foreign elite, and this was the constituency which they primarily served. This chapter addresses how they were elected and how they developed policy to be implemented by the municipal staff. It focuses, however, on the individuals involved: the councillors and their employees who are introduced over the following pages reappear to a greater or lesser extent in the rest of the dissertation, so this chapter provides the cast of key characters who appeared on the municipal stage during the twentieth century.

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[1] Duncan McNeil, Legal Advisor to the SMC, commenting on Land Regulation XIX, concerning the qualifications to vote for and stand for election to the SMC, on 7 May 1909, quoted in F. S. A. Bourne to D. Siffert, Senior Consul, 13 May 1909, in SMC, *Report for 1909*, p. 280. McNeil went on, 'I do not know how these objects could have been carried out otherwise than by classification based on (a) ownership of property or (b) amount of income as shown by expenditure.'

[2] Bickers, 'Shanghailanders', pp. 161-211. On the significance of settlers in the empire world, see Robert Bickers, 'Introduction: Britains and Britons over the Seas' in *Settlers and Expatriates: Britons over the Seas* (Oxford: Oxford University Press), pp. 1-17.

A recent trend in imperial historiography has seen a revival of biography in the form of 'life stories' that capture the lived experience of empire: presenters at a conference held at the University of Bristol in 2011 on 'Colonial Circulations' advocated this approach, notably Maya Jasanoff and Clare Anderson.[3] Robert Bickers has already provided the definitive life story of a British man in the SMP in *Empire Made Me*, but the broader tapestry of the kinds of people who worked for the SMC remains unexplored. This chapter draws on this method to present studies of a number of individuals involved in the SMC, some of them typical figures, some of them key individuals who are worthy of study for their historical significance, which taken together allow a picture of the nature of the council to emerge. I accept Jasanoff's argument that we can 'move beyond sceptical questions about how "representative" or "exceptional" a particular case might be by putting these studies in conversation with one another', and attempt to put this into practice.[4] Prominent councillors (particularly chairmen and those who held office for several years) and staff are described in turn, primarily in relation to their work at the council rather than in biography, and within those two groups they are presented roughly in chronological order. The key turning point was 1928 when the first Chinese council members finally took their seats, so the developments which led to this watershed are also studied, along with an assessment of the new Chinese councillors' impact on council policy. From this point on, a body which had been heavily dominated by British trading concerns gradually became broader and more transnational in the interests it represented. This in turn affected the ways in which it functioned and the objectives which it sought to achieve in the last

[3] Maya Jasanoff, 'The Kaleidoscope of Empire', paper presented to 'Colonial Circulations' conference, University of Bristol, July 2011, cited with permission; Clare Anderson, *Subaltern Lives: Convicts and Colonialism in the Indian Ocean* (Cambridge: Cambridge University Press, forthcoming 2012), 'Introduction' circulated at 'Colonial Circulations' conference, cited with permission. Anderson provides a comprehensive literature review of the recent colonial historiography using life stories on pp. 9, 15-22.
[4] Jasanoff, 'Kaleidoscope', p. 2.

decade before the Japanese took control of the council in 1941, and subsequently disbanded it in 1943.[5] In this way this study writes Chinese back into the story of the management of the Settlement, which has been presumed to have been a solely British endeavour. In doing so it complicates the picture of Chinese nationalism and anti-imperialism by exploring the Chinese members of Shanghai's elite who were actively involved in the council, most of whom were at the same time opposed in principle to the very existence of the Settlement.

I also draw on Jeffrey Wasserstrom's work on 'border crossers' in Shanghai, a term which captures the ways in which many of these individuals, especially the Chinese, straddled the divide between Shanghai's Chinese and foreign communities,[6] which leads to an analysis of the extent to which the council became a transnational institution in its final years. But rarely could British members of the council be thus characterised. Instead they were often border crossers within what Robert Bickers calls the 'China coast establishment',[7] who benefited from the opportunities afforded by Britain's imperial intervention in China to make their fortunes. The studies of such men (they were all men) therefore engage with the work of David Lambert and Alan Lester on 'colonial lives' and the 'imperial networks' in which empire officials moved and operated.[8] Britons dominated the council's membership and staff: Nicholas Clifford pointed out that in 1925, 827 of the 1,031 foreign members of the municipal staff were British, while 47 were American and just seven were Japanese.[9] But this chapter also

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[5] See Robert Bickers, 'Settlers and Diplomats: The End of British Hegemony in the International Settlement, 1937-1945' in *In the Shadow of the Rising Sun: Shanghai Under Japanese Occupation*, ed. by Christian Henriot and Wen-hsin Yeh (Cambridge: Cambridge University Press, 2004), pp. 229-56.

[6] Jeffrey N. Wasserstrom, 'Cosmopolitan Connections and Transnational Networks', in *At the Crossroads of Empires: Middlemen, Social Networks, and State-building in Republican Shanghai*, ed. by Nara Dillon and Jean C. Oi (Stanford: Stanford University Press, 2008), p. 209 and *passim*.

[7] Bickers, *Scramble for China*, p. 366.

[8] Lambert and Lester (eds.), *Colonial Lives*; Alan Lester, *Imperial Networks: Creating Identities in Nineteenth-Century South Africa and Britain* (London: Routledge, 2001).

[9] Clifford, *Spoilt Children of Empire*, p. 23.

brings out the diversity represented among those involved in the management of the International Settlement, particularly in its final decade. In building a more nuanced picture of the constitution of the SMC and the ways in which it changed from its long-standing character of being the bastion of the 'spoilt children of empire', this challenges the assumption that the council was a static institution with but a very limited role in this period.

Election and selection

As the International Settlement grew rapidly in population, the number of nationalities represented also increased. By the time of the 1920 census, over 35 nationalities were recorded, from Armenians to Venezuelans.[10] The 'foreign' population numbered 23,000, the most numerous group being the Japanese at over 10,000 residents, followed by the more than 5,000 British residents. Few parts of the world at this time (perhaps only New York) had such a cosmopolitan mix of nationalities in so small an area.[11] Significantly the Chinese population within the Settlement dwarfed the foreign with 760,000 Chinese residents, [12] the vast majority of whom were, like their foreign neighbours, comparatively recent arrivals in Shanghai, as people from neighbouring provinces and all over the country came to exploit the opportunities on offer in the burgeoning economy of the Settlement and the surrounding area. This was therefore the site of an unprecedented concentration of people from disparate backgrounds living side by side.

The Shanghai Municipal Council, however, did not reflect this diversity. The members of the SMC were elected by foreign ratepayers, who met criteria based on a certain

[10] Shanghai Municipal Council, *Report for 1920* (Shanghai: Kelly & Walsh, 1920), pp. 271a-272a.
[11] Jones, *Shanghai and Tientsin*, p. 1.
[12] SMC, *Report for 1920*, pp. 271a-272a.

ownership of property or who rented sizable properties,[13] from among an even smaller pool of moneyed landowners or renters eligible to stand for office: just three per cent of the foreign population were eligible and more than half of the voters were British.[14] Many of the ratepayers held multiple votes by virtue of being representatives of property-owning firms as well as owning a qualifying amount of property in their own right.[15] The council therefore represented not the general views of the local community but those of a small section of wealthy foreign businessmen, predominantly expatriates, as seen below. Seats were unofficially reserved for certain nationalities, though no such provision was made in the Land Regulations. In 1902 the candidates included seven Britons (all elected), one American (elected), one German (elected), one Swiss (unelected) and one Japanese (unelected). The latter two had little chance of electoral success against the established pattern of seven Britons, an American and a German, which the *North-China Herald* described as being 'strictly representative of the ratepayers according to their numbers'.[16] Between 1873 and 1914 there was always at least one German, alongside the seven Britons, an American and one or two other nationals. This pattern began to change in 1914 when, due to the First World War, the German member was replaced by a Russian, and two years later the first Japanese member was elected. The Russian left in 1918 and from 1919 there were usually two Americans on the council.[17] The Japanese membership was increased to two in 1927

[13] Indeed, Robert Bickers points out that only in the late 1930s did more than one sixth of the British population of the Settlement enjoy the right to vote in council elections due to the tight property-owning restrictions. Bickers, *Britain in China*, p. 127.
[14] Robert Bickers, *Empire Made Me*, p. 51.
[15] TNA T 160/1142/16454/1: Stirling Fessenden, Chairman SMC, to G. de Rossi, Senior Consul, Shanghai, 4 September 1925.
[16] *The North-China Herald, Supreme Court and Consular Gazette* (hereafter *NCH*), 29 January 1902, p. 165.
[17] Feetham, *Report*, Vol. II, p. 166.

and from the landmark year of 1928 three and then, from 1930, five Chinese members were finally admitted.[18]

Municipal elections were held annually. Between 1900 and 1940, 24 elections were contested while in 16 years the number of candidates was either equal to or fewer than the number of seats, so members were nominated unopposed or, in the latter instance, co-opted to the council. The *North-China Herald* instructed its readers how to place their votes: eligible ratepayers should go to the council's Board Room and strike out the names of any candidate for whom they did not wish to vote, leaving nine names or fewer.[19] It was not a secret ballot – ratepayers signed their names – but only the poll clerks would see the ballot papers. There was little in the way of campaigning for votes; indeed a young candidate deemed too 'pushful' in 1901 was lampooned in the *Herald* and *The Rattle* (Figure 2).[20] That year there were two more candidates than seats, one of whom was the 'pushful' candidate, judged inexperienced and ignorant of municipal process, while the other was American so was discounted as the unofficially American seat was filled by the incumbent, leaving little contest. In 1902 one more candidate stood for election and there was little difference in the votes cast for the nine who won, each gaining between 202 and 259 votes apiece.[21] William G. Bayne, who won the most votes, was duly elected to the chair. This pattern of limited contestation continued into the 1920s, each year the *Herald* providing its editorial view of who were the strongest candidates for election, which was generally borne out as the ratepayers' cast their votes.

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[18] Bickers, *Empire Made Me*, p. 51.
[19] *NCH*, 23 January 1901, p. 142. In later years polling stations, supervised by officers of the Revenue Office, were established at prominent properties in the Settlement: in 1920, for example, there were two, one at Sassoon House, part of the Cathay Hotel on the Bund, and one in the Hongkong and Shanghai Banking Corporation's property at 9 Broadway. SMC, *Report for 1920*, p. 44c.
[20] *NCH*, 23 January 1901, p. 142; 30 January 1901, pp. 192, 223.
[21] *NCH*, 29 January 1902, p. 160.

In 16 years, however, the demands on council members' time combined with general apathy, due in part to a lack of local issues of contention in the British ratepaying community, to mean insufficient numbers of businessmen were willing to give up their time to serve on the SMC for the elections to be contested. Elections were thus sometimes less of a competition between candidates as a struggle to persuade enough candidates to stand, and crucially for someone to take on the role of chairman. The Foreign Office in London sometimes intervened to ensure a suitable British candidate was elected to the chair. When word reached Whitehall in 1922 that the then chairman, H. G. Simms, did not intend to stand for re-election, the Foreign Office leapt into action. Believing that Simms's employer, Charles Montague Ede, himself a former member of the SMC but now a property developer in Hong Kong and member of the colony's Legislative Council, was responsible for Simms stepping down, the Foreign Office demanded that that he be asked to 'reconsider your decision in British interests'.[22] In fact, Simms was planning to leave Shanghai in June 1922 anyway, so the Foreign Office cast around for other British candidates and even implored the British Minister in Beijing to travel to Shanghai himself to exercise his influence in persuading a suitable man to stand.[23] Finally, in the absence of other appropriate and willing candidates, the American Stirling Fessenden was approved as the next best thing to a British chairman. Such instances of interference from London were rare, but they demonstrate the extent to which the council was still subject to considerable imperial pressure, albeit from the Foreign rather than the Colonial Office, as well as the

[22] TNA FO 228/3176: Foreign Office to Hong Kong, 13 February 1922.
[23] TNA FO 228/3176: Garstin, Shanghai, to British Minister, Beijing, 30 March 1922. Garstin also attempted to persuade alternate candidates to the incumbent British council members not to stand in 1929 and 1930 so as not to split the British vote and risk the informal quota of five Britons failing to be met. Bickers, 'Changing Shanghai's "Mind": Publicity, Reform and the British in Shanghai, 1928-1931', a lecture given at a meeting of the China Society, 20 March 1991, p. 14.

importance placed on ensuring British interests predominated in council affairs.[24] The Foreign Office might have had difficulty controlling the expansionist ambitions and antagonistic attitude to the Chinese elites, but it could and did exercise influence over the make-up of the council, hoping in this way to ensure British interests were served.

In the more politically charged environment later in the 1920s, however, municipal affairs took on new importance and more British candidates stood for election, increasingly attempting to garner votes by taking a public stance on issues relevant to the Shanghailander establishment. In 1930, for example, H. E. Arnhold declared that he stood for 'efficiency, economy, and the maintenance of the authority of the Council in the face of the continued attempts to undermine the same.'[25] His advocacy of 'a better understanding and ... closer cooperation between the Foreign and Chinese ratepayers' did not help his campaign among the racist Shanghailanders. Nor did insinuations by his fellow councillor, A. D. Bell, that under Arnhold's chairmanship there was unprecedented 'acrimony' in council meetings due to Arnhold acting alone rather than consulting properly with the council (Bell reported 'things being done or attempted in the name of the Council without my knowledge or consent').[26] Arnhold re-entered the council chambers in 1932, however, and was re-elected to the chair in 1934. Bell, for his part, concentrated in 1930 on calls for less secrecy in council business, a popular promise which recurred in other election campaigns as the council continued to refuse the entry of the press or public into its chambers.[27] Otherwise Bell's manifesto was practical, advocating more improvements in public works, particularly refuse disposal, and calling for the immediate sale of the Telephone Company, to the profit of

[24] Anxieties caused by the increased Chinese nationalism brought by the May Fourth Movement may have been behind the Foreign Office's interference in 1922.
[25] *Shanghai Times*, 28 February 1930, p. 4.
[26] *Shanghai Times*, 28 February 1930, p. 4.
[27] *The Municipal Gazette: Being the Official Organ of the Council for the Foreign Settlement of Shanghai*, 17 April 1930, p. 152.

the council.[28] Bell won re-election, defeating, among others, P. W. Massey, who echoed Bell's programme of public works but advocated the continued municipal control of the Telephone Company and, crucially, the more extensive employment of Chinese on the municipal staff, citing the economies to be gained on reduced recruitment from overseas.[29] Norman Leslie similarly missed out on a seat, despite his support for greater openness in council affairs, probably because his lack of experience in council affairs was considered a disadvantage at such a time of change in the municipal structure and because of his statement favouring 'friendly cooperation with our neighbours'.[30] Many Shanghailanders found even the conservative SMC too liberal for its liking, especially following the admission of Chinese councillors. Ranald MacDonald, who made an impassioned speech against admitting more Chinese council members at the subsequent ratepayers' meeting, wrote to the British-owned *Shanghai Times* listing his preferred candidates based principally on their stance on this issue.[31] He claimed to speak for the rest of the British ratepaying community, and four of his five choices were indeed elected (the exception being Ernest Macnaghten, whom MacDonald opposed). The council was thus beholden to a reactionary electorate.[32] As was common, the American candidates in 1930, V. G. Lyman and Clifford French, were elected without the need to campaign as none of their compatriots stood for the two seats unofficially reserved for

[28] *North-China Daily News* (hereafter *NCDN*), 28 February 1930.
[29] *Shanghai Times*, 28 February 1930, p. 4. Massey was successful in standing for office in 1923-26, in 1929, and again 1932-34.
[30] *Shanghai Times*, 28 February 1930, p. 4. Leslie was elected the following year.
[31] *Shanghai Times*, 4 March 1930, p. 7.
[32] Two years later, Arthur de Sowerby, the editor of the *China Journal* and leading member of the Shanghai Fascisti and British Residents' Association, stood (unsuccessfully) for election in 1932 on a platform of representing Shanghailander rights against the SMC and lobbying against the reform of extraterritoriality. *NCH*, 15 March 1932, p. 403; 28 December 1932, p. 498, referenced in Bickers, 'Shanghailanders', p. 199.

Americans: the debates in the press concerned only the British candidates, and it was they who set the tone of the council.[33]

Chinese members were elected annually through the Chinese Ratepayers' Association (CRA), which selected an election committee of 81 members, one third of which was chosen by the CRA itself, one third by the Nantao and Chapei Chambers of Commerce, and one third by the various guilds and street unions of the Settlement.[34] *Shenbao* reported the results of the CRA's elections to the committee, complete with the percentage of votes cast for each candidate, which shows that the vote was contested, at least in 1927 ahead of the 1928 election to the SMC.[35] All members of the CRA were eligible to vote, and the qualifications for membership were modelled on those which entitled foreign ratepayers to vote in municipal elections: the ownership of real estate worth not less than Tls. 500 in value in the International Settlement, the payment of rates of at least Tls. 10 on property in the Settlement, or the payment of rates on an annual rental of Tls. 500 or more.[36] Chinese business interests thus dominated the selection process (as was true of the foreign councillors), and as these tended to be conservative, favouring the stability of the status quo in the Settlement, the men selected were somewhat more sympathetic to the SMC than some other sections of the local

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[33] Lyman was an expatriate who worked for Standard Oil, while French was Vice-President of Andersen, Meyer and Company, a firm established by the Dane Vilhelm Meyer and incorporated in New York, representing General Electric in China. Christopher Bo Bramsen, *Open Doors: Vilhelm Meyer and the Establishment of General Electric in China* (Richmond: Curzon Press, 2001), p. 183.

[34] Bryna Goodman is dismissive of the CRA as inadaptable, 'overly exclusive' and lacking real political power, but it was afforded considerable importance by the SMC. Bryna Goodman, 'Democratic Calisthenics: The Culture of Urban Associations in the New Republic' in *Changing Meanings of Citizenship in Modern China*, ed. by Merle Goldman and Elizabeth J. Perry (Cambridge, Ma.: Harvard University Press, 2002), p. 89; pp. 80-90.

[35] *Shenbao*, 23 November 1927.

[36] Hsü Shuhsi, *Japan and Shanghai*, No. 4, Political and Economic Studies (Shanghai: Kelly and Walsh, 1928), p. 7; Feetham, *Report*, Vol. 2, Appendix XXI, pp. 12-13, and Land Regulations in Vol. 1, Appendix IV, p. 80. Goodman explains that the CRA consciously adopted the form of the foreign Ratepayers' Association in order to assert parity with the foreign community and so achieve their aim of representation. Goodman, 'Democratic Calisthenics', p. 89.

Chinese community.[37] Yet the CRA was one of the council's most vocal critics, so its members had to reconcile their opposition to the municipal system with their active participation in it.

[37] Marie-Claire Bergère argues that Chinese institutions such as guilds and the General Chamber of Commerce (and latterly the CRA) adopted democratic procedures due to the influence of SMC and other foreign organs. Bergère, *Golden Age*, p. 54. Elsewhere Bergère points to the SMC as the 'model' for the election of members to the council of the Municipality of Greater Shanghai by taxpayers. Marie-Claire Bergère, *Shanghai: China's Gateway to Modernity*, trans. by Janet Lloyd (Stanford: Stanford University Press, 2009; first published in Paris as *Histoire de Shanghai*, Fayard, 2002), pp. 125-26.

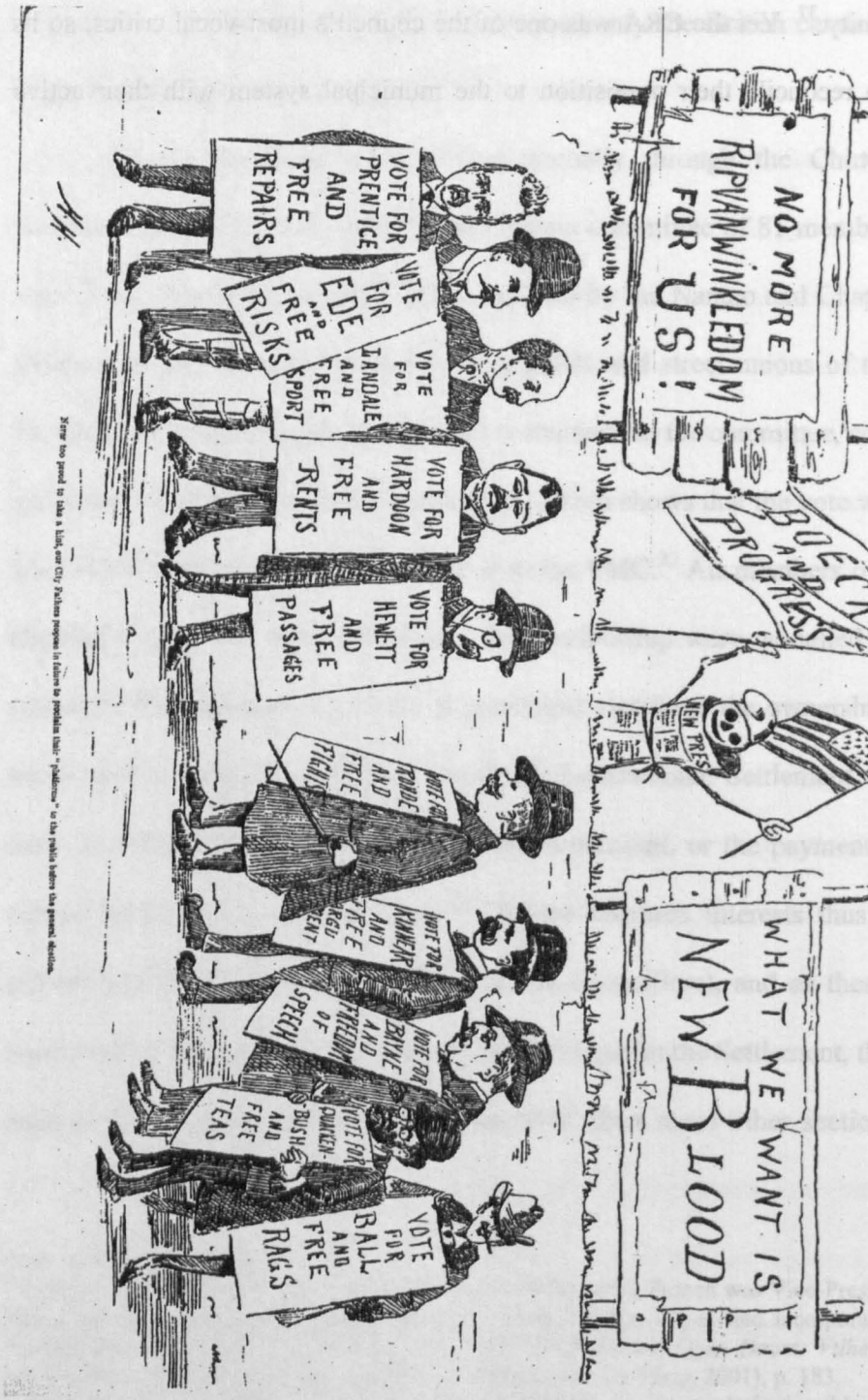

Figure 2: *Rattle* cartoon of campaigning candidates for the municipal election of 1901. The caption reads, 'Never too proud to take a hint, our City Fathers propose in future to proclaim their "platforms" to the public before the general election.'[38]

[38] *The Rattle*, 20 March 1901.

Chinese representation

Chinese representation had been mooted from the earliest days of the International Settlement. When the Settlement was established in 1863, the fifth of five propositions agreed by the ministers in Beijing was that 'there shall be a Chinese element in the municipal system to whom reference shall be made and assent obtained to any measure affecting the Chinese residents.'[39] This was a recognition that the character of the Settlement had changed from that initially envisaged for the first foreign settlements in Shanghai, in which it was not expected many Chinese would live. Proposals to enact the measure were considered but did not make their way into the Land Regulations. Some consultation with the Daotai over decisions concerning the Chinese residents, particularly taxation, was the only concession to the principle. The next serious consideration of Chinese representation came in 1906, in the wake of the Mixed Court riots of December 1905 (see pp. 175-77 of this thesis). The Chinese guilds suggested that similar problems could be averted in future if they were given the opportunity of putting the views of the Chinese community to the council before its actions produced such outrage. Yu Qiaqing (Yu Ya-ching 虞洽卿) informed Frederick Anderson, chairman of the council, that the guilds had decided to elect seven men to form an Executive Committee of the 40-strong Consulting Committee of Chinese Merchants to represent the interests of the guilds to the council.[40] Anderson defended the proposal against the doubts expressed by other members and replied welcoming the initiative. He was further assured by Yu that the Consulting Committee was free of Chinese officials

[39] Feetham, *Report*, Vol. 1, p. 113. The account of the history of (the denial of) Chinese representation in the Settlement is drawn from this chapter (VI) of Feetham's report. The South African judge made a detailed study of the subject, and while he was broadly sympathetic to the council and racist in his views, he was critical of the failure to give representation to the Settlement's Chinese and implied, with justification, that the problems with the Settlement which he had been invited to investigate stemmed in no small part from this failure.

[40] On the organisation of guilds in Shanghai, see Bergère, *Golden Age*, p. 21.

and would not interfere with the running of the Settlement. Yet despite these assurances, the foreign ratepayers rejected the proposal, due to prejudice against sharing power with Chinese.[41] Justice Richard Feetham, who was investigating the background to Sino-British tensions in the Settlement, was characteristically generous to the SMC and cited the lack of opportunity for ratepayers to realise 'the difficulties and problems with which their representatives on the Council are confronted' as the reason for this rebuff of Chinese cooperation. In reality it was rather a symptom of the racism of the Settlement's British community in general which was most certainly shared by the SMC itself (and was most infamously evident in its notorious ban of Chinese from the 'public gardens' on the Bund).[42]

The question of Chinese representation re-emerged in the context of bargaining for further extensions to the Settlement boundaries in 1909, but meaningful Chinese representation was still seen as undesirable by the SMC's members.[43] In 1915 a Chinese Advisory Board representing the guilds and the local Chinese authorities was actually approved by the foreign ratepayers in return for an extension to the International Settlement, but failed to materialise when no extension was agreed.[44] This followed an agreement between the French Concession and Chinese authorities the previous year which admitted Chinese members to the *Conseil municipal*, although the Chinese rarely actually sat at its meetings and the power of the French Consul-General over the concession made the representation largely symbolic.[45] A Chinese Advisory Committee

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[41] Even Feetham acknowledged that prejudice was largely to blame for the popular opposition to formal consultation of Chinese public opinion, though he excused it with reference to recent memories of the Boxer Rebellion. Feetham, *Report*, Vol. 1, p. 119.
[42] Bickers and Wasserstrom, 'Shanghai's "Chinese and Dogs Not Admitted" Sign', pp. 444-66.
[43] Zhang Qian (ed.), *The Minutes of Shanghai Municipal Council* (Shanghai: Shanghai guji chubanshe, 2002), Vol. 17, p. 230, 24 March 1909.
[44] Feetham, *Report*, Vol. 1, p. 124.
[45] The French Land Regulations had in fact always allowed for the possibility of Chinese representation. Hong Kong was also ahead of the International Settlement in this regard, having appointed its first Chinese member of the Legislative Council in 1880, although the first unofficial Chinese member of the

was established in 1919 with the unanimous approval of the ratepayers, who apparently recognised the need to make at least some concessions to Chinese public opinion.[46] (The proposal by Edward S. Little, a British former council member of unusually liberal bent, perhaps due to his missionary background, that three Chinese members be admitted to the council was, however, roundly defeated.) The move was also cautiously welcomed in the Chinese press.[47] The Chinese Ratepayers' Association, which led the campaign for Chinese representation on the council, was established in part to select the five members of the Committee, who met the council for the first time in May 1921. Yet the Committee had little impact, the SMC failing to refer questions to it, and it subsequently resigned in 1925 over the council's failure to respond adequately to the May Thirtieth Incident. The demand for true Chinese representation on the council grew to a deafening clamour, which reached the ears of the Foreign Office and the floor of the House of Commons, and the council finally bowed to the inevitable and resolved to admit Chinese members at the annual meeting of ratepayers the following year.[48] It took two more years for the details to be worked out between the council and the CRA, such as a concession to the Chinese argument that they should have more than three representatives in the form of six additional Chinese committee members and the

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Executive Council did not take his seat until 1926. Neither body had the autonomy of the SMC, being subordinate to the authority of the Governor of the colony and the Colonial Office. G. B. Endacott, *Government and People in Hong Kong, 1841-1962: A Constitutional History* (Hong Kong: Hong Kong University Press, 1964), pp. 89-96; Liu Shuyong, 'Hong Kong: A Survey of Its Political and Economic Development over the Past 150 Years', *China Quarterly*, No. 151 (September 1997), pp. 584-5.

[46] On the events which led to the establishment of the Chinese Advisory Committee, see Bryna Goodman, 'Being Public: The Politics of Representation in 1918 Shanghai', *Harvard Journal of Asiatic Studies*, Vol. 60, No. 1 (June 2000), pp. 45-88. The meetings of the Chinese Advisory Committee were covered in detail in the Chinese press, suggesting strong interest in the participation in municipal affairs among newspaper readers. See, for example, *Shenbao*, 2 May 1920, p. 10; 9, 12 and 19 February 1921, p. 10 of each issue; 14 May 1921, p. 11. At the same time, discussions of the need for genuine Chinese representation appeared regularly in *Shenbao* from 1919: see '華商要求市民權紀' (*Hua shang yaoqiu shiminquan ji*, 'An Account of the Demand of Chinese Merchants for Municipal Democratic Rights), *Shenbao*, 2 December 1919, p. 10. See also 3 April 1921, p. 10; 2, 23 and 28 May 1923, p. 13 of each issue.

[47] *Shenbao*, 3 April 1921, p. 10.

[48] Clifford, *Spoilt Children of Empire*, p. 151 (see also pp. 148-53, 263-66); Hansard, 22 June 1925, 23 February 1927, 21 March 1927.

promise of a further two Chinese councillors. The progress of the negotiations was reported avidly in *Shenbao*, as Chinese ratepayers awaited their first opportunity to contribute to the running of the Settlement.[49] The CRA discussed who should represent the community and to what extent the Chinese government should be represented, and how to ensure Chinese interests were appropriately represented in municipal committees as well as the full council meetings, demonstrating a sincere desire to make the new arrangement work for the interests that the association represented.[50] On the other hand, an opinion piece put the advent of Chinese councillors in the context of the May Fourth Movement, arguing that it could not satisfy Chinese calls to control the Settlement.[51] Chinese opinion was sharply divided over the issue.

A protest over the municipal rates in 1927 (see following chapter) highlighted the slowness of progress on the issue of Chinese representation and forced the council to concede greater influence for Chinese within the municipal apparatus. Warning the Chinese negotiators that a proposal to elect more Chinese councillors than the three already approved would not be accepted by the ratepayers at their annual meeting, which was necessary for such constitutional change to be made, the council instead appointed a Chinese Advisory Committee. This had the advantage that it could be appointed without reference to the foreign ratepayers. Yu Qiaqing agreed to this, undertaking to ensure that the three Chinese members and six Chinese committee members were nominated and took their seats, on the condition that the council would propose increasing the number of Chinese council members further should this

[49] See *Shenbao*, 7 July 1927, p. 14; 27 August 1927, p. 14; 23 November 1927, p. 13 and 10 November 1927, p. 1 of supplement.
[50] *Shenbao*, 9 February 1927.
[51] The author was identified as Jin Wensi (金問泗). *Shenbao*, 10 November 1927, p. 1 of supplement. See also a similar opinion expressed on 13 January 1928, p.13.

experiment prove successful. It was on these terms that the first Chinese finally took their seats on the council in 1928.

The innovation, when finally implemented, proved successful, Chinese councillors contributing constructively to municipal affairs, as outlined below. In 1930 the council resolved to keep its word to increase the number of Chinese council members from three to five.[52] First, of course, the ratepaying community had to be convinced, so E. B. Macnaghten made a plea at the annual meeting, quoting Fessenden's uncharacteristically tactful praise the year before for the way in which 'Our Chinese colleagues have shown themselves to be men of character, ability, breadth of view and energy, who have sincerely endeavoured to promote harmony and good will in the solution of many difficult and perplexing problems regarding which the Chinese and Foreign communities do not always see eye to eye.' Macnaghten added his own qualified support: 'The cooperation of the Chinese members during the past year has been as full and complete as is possible in this international community, where national interests and points of view in the natural course of things must at times appear almost irreconcilable.'[53] He argued, slightly optimistically, that keeping to the planned increase of Chinese members voluntarily would promote 'amicable Sino-foreign relations' for the benefit of the Settlement.

Not all those present agreed: British lawyer Ranald MacDonald spoke for over half an hour of the folly of admitting more 'Chinese sphinxes' whose political views were unknown to the council. Calling the proposal a 'dangerous and insidious change'

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[52] '[I]n accord with a tacit understanding between the foreign and Chinese communities at the time the three Chinese members first took their seats upon the Council that with the full cooperation of the Chinese the number of Chinese members, in the ordinary course of events, would be increased.' Zhang Qian (ed.), *Minutes of the SMC*, Vol. 23, p. 5, 10 January 1930.

[53] *Municipal Gazette*, p. 147, 17 April 1930. Robert Bickers has pointed out that the foreign members of council publically praised their Chinese colleagues while complaining about them in private. Bickers, 'Changing Shanghai's "Mind"', p. 11.

he listed five main reasons to reject it: the Settlement was and always had been foreign; there was no advantage to be gained for foreigners nor Chinese; the results of the investigations of Justice Feetham should be awaited before such changes were made; to pass the resolution 'would appear to be an act of fawning sycophancy' with repercussions throughout China and 'all over the world'; and it would inevitably lead to more Chinese councillors within a year or two 'and you will thus have irretrievably sold the past and betrayed not merely those now in Shanghai but posterity'.[54] MacDonald contrasted the standard of governance in the Chinese city unfavourably with the Settlement's administration as evidence that the Chinese were unable to contribute positively to the council, suggesting patronisingly that they should instead be encouraged to sit on the council's committees in larger numbers so they might learn about municipal administration (as if the SMC provided a model of best practice). He also stirred up the defensive feelings of the Shanghailanders against alleged interference from the Foreign Office, Consular Body and Diplomatic Body, which Macnaghten denied. MacDonald evoked all the reasons for which Shanghai's foreign community, mainly the British, had so long opposed Chinese representation. They were still persuasive in 1930: the resolution was rejected and the council was forced to hold another special meeting in order to finally achieve equal numbers of Chinese and British members. It only succeeded with intense lobbying, laying on special buses to bring the ratepayers to the meeting during a strike, and ensuring a large turnout of Japanese, who claimed to favour greater Asian representation to balance the power of westerners in the Settlement.[55]

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[54] *Municipal Gazette*, p. 150, 17 April 1930.

[55] Bickers, 'Changing Shanghai's "Mind"', p. 12. 1930 also saw the publication of the annual report and Municipal Gazette in Chinese (in condensed form) for the first time, with the cooperation of the CRA. Chinese were finally being genuinely involved in the municipal administration. SMC, *Report for 1930*, p. 328.

The council maintained the structure of five Britons, two Americans, five Chinese and two Japanese until April 1941, when the Provisional Council Agreement suspended the Land Regulations and the electoral process in order to introduce a consular-appointed council.[56] This was a compromise that diluted British dominance with a Dutch and a Swiss councillor whilst maintaining a strong British presence and a balance between the now more pressing polarities of Axis and Allied nationals (even as Shanghai remained neutral). Allied nationals resigned in January 1941 but continued to serve on the committees for several more months, just as the municipal staff continued to perform their duties.[57] Good relations between British and Japanese staff, argues Robert Bickers, indicate 'the ongoing strength of the rhetoric of internationalism.'[58]

Council members

A total of 156 different men were members of the SMC between 1900 and 1943, holding their position for anything from one to 11 years. Between them they represented more than 65 companies, banks and other concerns, both locally-based and multinational. Members of the council were elected by all qualified ratepayers, who included both settlers who had made their permanent homes in Shanghai and expatriates who typically worked for trading houses based in London or Hong Kong. Settlers owned and controlled much of the property in Shanghai, but while their interests were well-represented, the data on the Shanghai Municipal Council suggests political power rested primarily in the hands of the expatriates. Table 1 shows the business interests of prominent twentieth-century members of the council, including all chairmen and other councillors who held office for more than five years. Of the 29 men included in the

[56] Bickers, 'Settlers and Diplomats', p. 239.
[57] Bickers, 'Settlers and Diplomats', p. 247.
[58] Bickers, 'Settlers and Diplomats', p. 248.

table, 18 were expatriates and 11 were settlers, defined by working in locally-based firms. But tellingly, of the 18 men to be elected to the chair over the years 1900-1942, 13 were expatriates, holding the position for 27 years between them, and just five were settlers, occupying the chair for the remaining 16 years. An almost unbroken line of expatriates held the chair until 1923, whereafter settlers were much more likely to be given the position.

The most important trading companies in Shanghai, representing the interests of big business, dominated.[59] The largest of these, Jardine, Matheson and Company, which traded primarily in opium, cotton, tea and silk, had the closest links to the council, providing a total of 12 councillors spanning 33 years between 1900 and 1941. Four of them acted as chairmen, the most senior position on the council, between them occupying the post for eight years. Jardine's' closest rival, Butterfield and Swire, was represented for 15 years in the twentieth century, as was the Hong Kong and Shanghai Bank, the SMC's own bankers. The Bank dominated more in the 1920s, having at least one member of the council every year from 1920-28, while the heyday for influence by Swire's came in the later 1920s and 1930s. Jardine's, on the other hand, was well-represented throughout the period. Between the 1870s and 1910s the Peninsula and Orient Steamship Navigation Company was well-represented, but its last council member, E. C. Richards, was elected in 1918. Chinese council members, when they joined, were also leading figures in local business, as shown below. The SMC thus did not simply represent the vocal Shanghailander community, as may be assumed, but was a more internationally-minded group of men, many of whom, while spending many

[59] The same was true of the Hong Kong Legislative and Executive Councils, which were dominated by representatives of big business until reforms in 1991. Ming K. Chan, 'The Legacy of the British Administration of Hong Kong: A View from Hong Kong', *China Quarterly*, No. 151 (September 1997), pp. 575-6.

years in Shanghai, continued to identity their interests largely with Britain (or, less commonly, with America or another home nation).

Name	Dates on SMC (*denotes chairman)	Nationality	Settler/ expatriate[60]	Business
E. A. Hewitt	1897-1901 (*1900-01)	British	Expatriate	Peninsula & Orient Shipping Co.
J. Prentice	1997-1901, 1904, 1907-09	British	Settler	S. C. Farnham Boyd & Co. Ltd (Shanghai Dock & Engineering Co)
William G. Bayne	1901-03 (*1902-03)	British	Settler	North China Insurance Co.
Otto Meuser	1902-10	German	Settler	Rohde and Co.
H. De Gray	1903-07, 1909-12 (*1911-12)	American	Expatriate	China & Japan Trading Co.
A. W. Burkill	1903-04, 1907-08, 1911-12	British	Settler	A. R. Burkill & Co.
Frederick Anderson	*1904-05	British	Expatriate	Ilbert & Co. (textile manufacturing)
H. Keswick	1905-07 (*1907)	British	Expatriate	Jardine, Matheson & Co.
C. Holliday	*1906	British	Expatriate	Holliday & Co. (traders)
David Landale	1907-10 (*1908-10)	British	Expatriate	Jardine, Matheson & Co.
Heinz Figge	1910-14	German	Expatriate	Deutsch Asiatische Bank
E. C. Pearce	1911-19 (*1913-19)	British	Expatriate	Ilbert & Co. (textile manufacturing)
E. I. Ezra	1912-18	British	Settler	Ezra & Co. (opium traders)
A. S. P. White-Cooper	1913-18	British	Settler	Law
W. L. Merriman	1913-19	American	Expatriate	American Trading Co.
A. Brooke Smith	1919-21 (*1920-21)	British	Expatriate	Jardine, Matheson & Co.
W. P. Lambe	1919-24, 1928, 1934-35	British	Settler	Wisner & Co.
H. G. Simms	1920-23 (*1922-23)	British	Expatriate	Property, insurance
E. F. Mackay	1920-24	British	Expatriate	Butterfield & Swire
V. G. Lyman	1921-29	American	Expatriate	Standard Oil
Stirling Fessenden	*1923-28	American	Settler	Law
P. W. Massey	1923-26, 1929, 1932-34	British	Expatriate	Holyoak, Massey & Co. (Hong Kong traders)
Alexander Dunlop Bell	1924-33 (*1932-33)	British	Expatriate	Barlow & Co. (tea and rubber traders)

[60] Settlers are defined as those working in locally-based firms, as opposed to expatriates working for international companies, based overseas.

Ernest Macnaghten	1926-27, 1929-31, 1935, 1936, 1938 (*1930-31)	British	Expatriate	British American Tobacco
Harry Edward Arnhold	1928-29, 1932-36 (*1929, 1934-36)	British	Settler	Arnhold & Co. (property)
Cornell Sidney Franklin	1933-39 (*1937-39)	American	Settler	Law
G. E. Mitchell	1936, 1938-41	British	Expatriate	Butterfield & Swire
William J. Keswick	1936, 1938-40 (*1940)	British	Expatriate	Jardine, Matheson & Co.
John Hellyer Liddell	1934-35, 1939, *1941	British	Settler	Liddell Bros. & Co. (traders)

Table 1. Prominent foreign council members (all chairmen and those who held office for five years or more) and their business interests, 1900-1942.

Turning to some of the individuals on the council, Stirling Fessenden was one of the most prominent figures of the 1920s and '30s, known in some quarters as the 'mayor of Shanghai'.[61] He joined the council in 1920 and held the chair from 1923 to 1929, when he told his colleagues he could not continue in the unpaid role, so was made Director (later Secretary) General from 1929. The scope of the post expanded rapidly and allowed Fessenden to continue to direct municipal activities until his retirement in 1939 at the age of 64.[62] Described as 'one of the best known Americans in the Far East', Fessenden was nevertheless famously considered by many contemporaries to be 'more British than the British'.[63] Indeed, while popular with the foreign community in Shanghai (references to his long service and ongoing friendship to the council, made when his retirement was announced at the annual meeting of ratepayers in 1938, were effusive and accompanied by 'loud applause')[64] he was deeply unpopular with the American authorities. In 1927 the US Consul General at Shanghai, Clarence Gauss, sought to use his influence to remove Fessenden from his powerful position. Gauss

[61] Harold E. Jones, 'Shanghai's International Municipal Government', *National Municipal Review*, Vol. 21, No. 3 (March 1932), p. 157.
[62] SMC, *Report for 1939*, p. 9.
[63] George F. Nellist (ed.), *Men of Shanghai and North China: A Standard Biographical Reference Work* (Shanghai: Oriental Press, 1933), p. 129; Clifford, *Spoilt Children of Empire*, p. 22.
[64] SMC, *Report for 1939*, p. 9.

directed the American Minister in Beijing to tell his British counterpart that the re-election of Fessenden 'would not be acceptable to the American authorities', but the Minister, John MacMurray, replied that he thought such intervention inadvisable.[65] This illustrates the independence of the council, even as it caused considerable problems to the consular and diplomatic authorities, as well as the significance of Fessenden's role as chairman of the SMC, drawing the attention as it did of such senior figures. Following the undesired re-election, Gauss wrote angrily to the Secretary of State in Washington that

> The truculent attitude of this American citizen, who, through no fault or favor of the American Government, or its authorities in China, has been hoisted by his colleagues on the Shanghai Municipal Council to the position of its Chairman, and maintains himself in that public position – constantly emphasized in foreign houses of parliament to show the 'international' character of the Shanghai municipal administration – by his attitude of faithful obedience to the will of the reactionary majority of the Council and their supporters, is in my opinion distinctly unbecoming and distasteful.[66]

The US Consul-General evidently felt his community was sidelined in the International Settlement where British interests held sway, and the presence of Fessenden, rather than helping boost the position of Americans in Shanghai, in fact enabled the status quo to continue under a cloak of international involvement.

Fessenden devoted two decades of his life to the Shanghai Municipal Council, finding in it an outlet for his formidable talents in administration and his controlling tendencies. He was trained in law, indeed practising as a solicitor in Shanghai from

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[65] US NARA, Consular Posts, Shanghai, RG 84, Vol. 1686, 810.1: telegram from US Consulate to US Legation, 12 April, and reply, 13 April 1927.
[66] NARA, Consular Posts, Shanghai, RG 84, Vol. 1686, 810.1: letter from American Consul General, Shanghai, to Secretary of State, Washington, D.C., 5 May 1927.

1905, and he was able to use his legal expertise in the service of the council as it negotiated the tricky waters of growing Chinese nationalism and accelerating Sino-Japanese tensions. He negotiated with the Green Gang's Du Yuesheng (杜月笙) in February 1927, agreeing to allow Du to bring his gangsters and toughs through the International Settlement in order to assist Chiang Kai-shek's purge of the Communist Party.[67] More significantly for this thesis, he also oversaw the council's reluctant agreement to admit Chinese members in the wake of the May Thirtieth Movement, and the repeatedly stalled negotiations as the terms of Chinese representation were decided.

As befitted a man of his local social and political standing, Fessenden was a member of many clubs and associations in Shanghai, from the exclusive (British) Shanghai Club on the Bund and the American Club, to the Rotary, a Sino-foreign organisation that encompassed many of the city's elite.[68] The latter was established in 1919 with the explicit aim of being 'international' (which is to say, to include Chinese as well as westerners in its membership), but three years later just four of its almost 70 members were Chinese,[69] demonstrating the difficulties in forming transnational organisations at this early juncture. Fessenden also belonged to the more genuinely cosmopolitan *Cercle Sportif Français*, the main French Club which was highly popular and, unusually, admitted Chinese and even women.[70] He certainly mixed with people of senior standing from all nationalities, but it is unlikely that his social circle extended far beyond the Anglo-American elite. The circles in which the members of the council

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[67] Brian G. Martin, *The Shanghai Green Gang: Politics and Organized Crime, 1919-1937* (Berkeley: University of California Press, 1996), pp. 104-106; Robert M. Farnsworth, *From Vagabond to Journalist: Edgar Snow in Asia, 1928-1941* (Columbia, Missouri: University of Missouri Press, 1996), p. 27.

[68] 'Sino-foreign' organisation is a term coined by Nicholas Clifford and adopted by Jeffrey Wasserstrom. Clifford, *Spoilt Children of Empire*, p. 71; Wasserstrom, 'Cosmopolitan Connections', p. 208.

[69] Connie Fan and April Ma, 'A Brief Look at the Rotary Club of Shanghai from 1919 to 1949' (Rotary Club of Shanghai, 2006), <http://www.rotaryshanghai.org/index.php?id=6&lang=en>, accessed 27 June 2010.

[70] Clifford, *Spoilt Children of Empire*, p. 72.

moved both reflected their elite position and shaped the interactions they were able to have with different sections of Shanghai society. Bickers describes it as 'a bankers' council, an opium traders' council, a rubber-boom speculators' council, if not simply just another company board' with members connected by freemasonry, social clubs and sometimes by marriage.[71] The Settlement elite was small and incestuous and the SMC reflected this.

Fessenden's fellow American on the council in the 1920s and again in the early 1930s was Frank Jay Raven. Raven arrived in Shanghai from California in 1904, when he began his Shanghai career as an engineer working for the SMC.[72] He moved on, however, to make his fortune in land speculation, becoming a millionaire and a pillar of the local community (although he was convicted of fraud in 1935 and sent to serve a five-year jail sentence in the USA).[73] Raven was active in the establishment of the Rotary and the Union Club, another Sino-foreign organisation, also founded in 1919. It is no coincidence that in the wake of the upsurge of nationalist fervour that accompanied the May Fourth Movement there were suddenly efforts made to heal the rift between Chinese and westerners. The Union Club was a little more successful than the Rotary in its aims of bringing Chinese and foreign members together in one organisation.[74] Wasserstrom celebrates its significance in bringing together the most influential members of each community on an equal footing, though he also acknowledges that far from emerging naturally from the cosmopolitan nature of

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[71] Bickers, *Scramble for China*, p. 367.

[72] 'Appendix 1: Men of Shanghai', *Fortune*, Vol. 11, No. 1 (January 1935), pp. 115-16, <http://www.earnshaw.com/shanghai-ed-india/tales/library/fortune/t-fortune3.htm>, accessed 27/6/2010.

[73] Eileen P. Scully, *Bargaining with the State from Afar: American Citizenship in Treaty Port China, 1844-1942* (New York: Columbia University Press, 2001), pp. 187-91; Ronald Kent Shelp with Al Ehrbar, *Fallen Giant: The Amazing Story of Hank Greenberg and the History of AIG* (Hoboken, N.J.: Wiley, 2006), p. 22. ~~Tess Johnston and Deke Erh, *Frenchtown Shanghai: Western Architecture in Shanghai's Old French Concession* (Hong Kong: Old China Town Press, 2000), pp. 188-89.~~

[74] The Union Club was originally known as the ABC Club in explicit reference to its founding aim of bringing together Americans, Britons and Chinese in one institution. Wasserstrom, 'Cosmopolitan Connections', pp. 20, 213, 221.

Shanghai, it was rather a self-conscious effort to 'overcome entrenched patterns of fragmentation.'[75] Yet Clifford rightly points out that membership of the Union Club declined soon after it opened and suggests as an explanation Chinese reluctance to belong to an organisation where Anglo-Americans patronisingly condescended to mix with them.[76] It is nonetheless significant that foreign members of the council like Raven were able to mix on equal terms at Union Club meetings and at the bar of the *Cercle Sportif Français* with elite members of the Chinese community.

Another association which brought together members of different sections of the Shanghai community, including many council members and staff, was the North China Branch of the Royal Asiatic Society (RAS). The RAS boasted its own library, museum and journal, and held regular lectures for the cultural and intellectual stimulation of its members.[77] Predominantly British, as indicated by the 'Royal' prefix and affiliation to branches of the RAS in London, Hong Kong, as well as other East Asian outposts and several cities in India, the Society nevertheless also numbered many other nationalities among its members, including Chinese. Council members in the RAS included Frank Raven, A. D. Bell, and Xu Xinliu. Dozens of council employees also belonged to the RAS including Chief of the Industrial Section Eleanor Hinder and her Chinese assistant Zhu Yubao (Dyu Yu Bao); Secretary W. E. Leveson and Chinese Deputy Secretary T. K. Ho; and Commissioner of Public Health J. H. Jordan and Dr Miao Weiguang (Miau Wey-kaung) who also worked in the Public Health Department. The RAS was a significant mixing ground for such diverse individuals. It was aided financially by both the SMC and other foreign supporters and Chinese sponsors, such as Dr Wu Liande,

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[75] Wasserstrom, 'Cosmopolitan Connections', p. 219.
[76] Clifford, *Spoilt Children of Empire*, p. 72.
[77] Peter Hibbard, 'History of the Royal Asiatic Society China in Shanghai', <http://www.royalasiaticsociety.org.cn/v/index.php?option=com_content&view=article&id=46:beginning-&catid=34:general-history&Itemid=62>, accessed 15 January 2012. The RAS was re-established in 2006. I am grateful for additional information on its former incarnation from Peter Hibbard.

head of the Chinese government's quarantine service, who donated one fifth of the cost of the new RAS building in 1930, the largest individual donation the Society received.[78] The council's support for the RAS was a rare example of municipal spending on non-essential services, reflecting the status it had in Shanghai but also the SMC's willingness to patronise a British institution: none of the other associations discussed here benefitted from direct municipal donations. Such associations contributed to the 'cosmopolitan intimacy' of Shanghai society in which council members and employees interacted.[79]

After Fessenden's resignation as chairman the council returned to type, electing the Briton Harry Edward Arnhold to succeed him. A British Jew of German ancestry born in Hong Kong, Arnhold was a partner of the family firm Arnhold & Company, incorporated in Hong Kong but with headquarters in Shanghai. He had served its interests in London and Hankou as well as Shanghai, but had made his home in the International Settlement.[80] Arnhold's firm dealt in building and engineering supplies, while he was also chairman of the Shanghai Land Investment Company, a major property developer, and a number of other firms. He sat on the council in 1928, 1929 and from 1932 until 1936, despite being unpopular with the British authorities in Beijing because he was considered too much of a diehard.[81] According to Nicholas Clifford, the consuls and diplomats agreed that Arnhold was 'violent', 'rough, unscrupulous, and a die-hard of the worst kind'.[82] As a 'die-hard' imperialist, he was

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[78] SMC support of the RAS included an annual grant of Tls. 1,000, a donation to fund building repairs in 1909 and another towards the new building in 1930. SMA U1-1-56: Finance Committee, 4 January 1909; U1-1-61: Finance Committee, 29 October 1932.

[79] Robert Bickers, 'Shanghailanders and Others: British Communities in China, 1843-1957' in *Settlers and Expatriates*, p. 277.

[80] Nellist (ed.), *Men of Shanghai*, p. 11.

[81] Bickers, 'Changing Shanghai's "Mind"', p. 14.

[82] F/760/250/10 Lampson to F.O., 11 February 1929; F1999/250/10 Pratt minute of 22 April 1928; 893.00 PR Shanghai/ 15 Cunningham to Legation, 4 May 1929, in Clifford, *Spoilt Children of Empire*, pp. 270-71, p. 331 n. 82.

typical of past and future chairmen. As noted above, however, Arnhold was nevertheless voted out in 1930 for being insufficiently bullish in his dealings with Chinese, demonstrating the extent to which the SMC reflected the prejudices of its small electorate.

Arnhold & Co. was bought out by Sir Victor Sassoon in order to enter the Shanghai property market, making Arnhold Sassoon's man on the council. Born in Naples, Sassoon belonged to a leading Baghdadi Jewish family and had made his way to Shanghai via British India, London and Hong Kong. He was one of Shanghai's most prominent businessmen and key among its border crossers, thanks to the famous parties he regularly threw, to which he invited the elite from both the foreign and Chinese communities. [83] Through Arnhold, Sassoon's business interests were adequately represented on the council. Sassoon's father Edward had served on the SMC in 1879, as did other members of the Sephardic Jewish community. [84] Silas Hardoon, council member from 1899 to 1903, began his career in Shanghai as an employee of the Sassoons but became a partner and then a property magnate in his own right, owning much of Nanjing Road and dying in 1931 as reportedly the wealthiest man in East Asia.[85] Another successful Jewish property investor who sat on the council was E. I. Ezra, member from 1912 to 1918, who was the first council member to be born in China.[86] (Ezra's caricature appears on the top right of Figure 3 below, depicting the candidates for the 1913 election.) These men were typical of the council in their wealth

[83] Wasserstrom, 'Cosmopolitan Connections', p. 212.
[84] On this community, see Maisie J. Meyer, 'The Sephardic Jewish Community of Shanghai 1845-1939 and the Question of Identity' (Unpublished PhD Thesis, London School of Economics and Political Science, 1994).
[85] Chiara Betta, 'The Land System in the International Settlement: The Rise and Fall of the Hardoon Family, 1874-1956', paper presented at Treaty Ports in Modern China conference, University of Bristol, July 2011. See also Chiara Betta, "Silas Aaron Hardoon (1851-1931), Marginality and Adaptation in Shanghai," unpublished Ph.D. dissertation, School of Oriental and African Studies, 1997. Hardoon lost his seat in 1904 as the result of being involved in a legal dispute with the council over the culverting of a creek running through his land. *NCH*, 15 January 1904, p. 95.
[86] Betta, 'Marginal Westerners in Shanghai', p. 45.

and local prominence: all were members of the Shanghai Club, the British club on the Bund, which meant overcoming considerable prejudice against them as both Jews and 'Orientals'. [87] Their business dealings were also somewhat questionable, with investments in the opium trade contributing to the capital they (particularly Ezra) spent on property. Yet these men also demonstrate the degree of diversity emerging even at the beginning of the twentieth century, as wealth and influence allowed them to overcome the prejudices of the Anglo-Saxon-dominated council and ratepayers.

[87] Betta, 'Land System', p. 7.

Figure 3. Caricatures of the candidates for election to the SMC in 1913.[88]

[88] *Quack*, 29 January 1913 (n.p.).

As in other treaty port organisations such as the Maritime Customs service, and indeed throughout Britain's imperial world, 'British' very definitely incorporated the whole British Isles.[89] Brigadier-General Ernest Brander Macnaghten, born in India, had roots in County Antrim in Northern Ireland, and was a member of the SMC on and off from 1926 to 1938 and chairman in 1930 and 1931.[90] He was Director of the British American Tobacco Company in China, but came to business after a long military career. After education in England Macnaghten returned to India with the Royal Artillery and went on to serve in South Africa during the Second Anglo-Boer War, West Africa, Somaliland, and France during the First World War.[91] He put his military experience to use as a Major in the Shanghai Volunteer Corps and was no doubt a formidable presence on the council. Scottish councillors included Alexander Dunlop Bell and William J. Keswick, who held the chair in 1932-33 and 1941 respectively. Chairmen were drawn primarily from the expatriates rather than permanent settlers among the councillors, and these men were no exception. Bell belonged to the British tea and rubber trading firm Barlow and Company, which operated throughout Asia; Keswick was a Director at Jardine's, as had been his father Henry and grandfather William, who had both also chaired the SMC. The grandson suffered for his service to the council, being shot in the arm in a Japanese assassination attempt in 1941, as described below. Benjamin Beith, another Scottish council member in the 1930s, was also a Jardine's Director. Beith had previously been an unofficial member of the Hong Kong Legislative Council, strengthening the ties between the Settlement and the colony.[92] Other key

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[89] On the Irish emphasis within the Customs, see Catherine Ladds, '"Youthful, Likely Men, Able to Read, Write and Count": Joining the Foreign Staff of the Chinese Customs Service, 1854-1927,' *Journal of Imperial and Commonwealth History*, Vol. 36, No. 2 (June 2008), p. 233.

[90] Macnaghten stood for the chair again in 1934 but was defeated by Arnold by eight votes to six. *China Weekly Review*, Vol. 68, 31 March 1934, p. 314.

[91] Nellist (ed.), *Men of Shanghai*, p. 266.

[92] Nellist (ed.), *Men of Shanghai*, p. 23.

firms represented included Butterfield and Swire's, represented by the Glaswegian N. S. Brown (in 1930 and 1931) among others.[93] The domination of the council by big British businesses remained clear throughout its existence, and moreover it was often the directors of the firms who stood for election: certainly the 'people of importance' intended by the Land Regulations. Nevertheless, diversity was increasing within the council in this period, which meant significant changes in how it went about running the affairs of the Settlement.

While the council had included a Japanese member since 1916, the first being a branch chief of the Japanese Residents' Association, they began to have real influence within the council from 1927 when the number of Japanese councillors increased to two and they were invited to join the council's committees, where specific policy decisions were deliberated.[94] Japanese members of the council were elected by the large Japanese ratepayers bloc, which turned out to vote more consistently than other foreign national groups. They were nominated by the Japanese Residents' Association, (membership of which was compulsory for all Japanese residents of Shanghai under Japanese law)[95] which usually chose the Japanese candidates by consensus in advance of the vote to avoid splitting the constituent community.[96] Mark Peattie notes a 'surprising degree of unanimity and cohesiveness' within Shanghai's Japanese community, so perhaps, uniquely among the council members, the Japanese can be said to have represented the broad interests of their constituent ratepayers as a whole, rather than merely the elite.[97]

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[93] Bickers writes that Brown, a great networker, was made the manager of Swire's specifically in order to get onto the SMC and help shape the direction of municipal affairs 'by acting as a conciliatory and restraining influence'. Bickers, *Britain in China*, p. 178.
[94] Mark R. Peattie, 'Japanese Treaty Port Settlements in China, 1895-1937', in Peter Duus, Ramon H. Meyers and Mark R. Peattie (eds.), *The Japanese Informal Empire in China, 1895-1937* (Princeton: Princeton University Press, 1989), pp. 190-91.
[95] Feetham, *Report*, Vol. II, p. 201.
[96] On the Japanese Residents' Association, see Fogel, '"Shanghai-Japan", pp. 927-50.
[97] Peattie, 'Japanese Treaty Port Settlements', pp. 207-208.

Yet Christian Henriot argues that there was a deep cleavage within the community between the expatriate minority and the vast majority of lower and middle class residents, akin to that between British expatriates and Shanghailanders.[98] Japanese council members were drawn from the expatriate class so represented its interests above those of the resident majority, similarly again to most of the British councillors.

Those nominated and elected were still chosen to best fit in with the British-dominated council, however: men such as Otoichi Okamoto, a member of the English bar. Okamoto was one of two members sent to investigate the conditions at the municipal Ward Road Gaol, following criticisms from the British prison reformer Margery Fry.[99] He and his colleague reported that they were 'much impressed' by what they saw at the gaol, to the satisfaction of the rest of the council. The banker Kimiji Fukushima was a member from 1927 to 1932 and served on the Watch Committee, which oversaw the policing and defence of the Settlement. He repeatedly sought an increase in the Japanese branch of the Shanghai Municipal Police, favoured exclusively Japanese policing of Hongkou where the Japanese community was concentrated, and advocated the promotion of senior Japanese police officers to senior positions.[100] These were all key demands of the Japanese community which he explicitly saw as his duty to represent, referring to 'his constituents' in meetings.[101] He argued his case persuasively but stopped short of demanding full equality in pay and terms between Japanese and British officers, choosing to focus his energy on what was achievable at the time. Japanese members of the SMC thus cooperated with their colleagues and sought to

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[98] Henriot, '"Little Japan"', p. 154.
[99] Frank Dikötter, *Crime, Punishment and the Prison in Modern China* (London: Hurst, 2002), pp. 312-13.
[100] Shanghai Municipal Archives (hereafter SMA), U1-1-89: SMC Watch Committee minutes, 21 June 1928. Donald Jordan claims that Fukushima 'symbolised Japan's economic power at Shanghai and, indirectly, the Seyukai cabinet that [the] Mitsui [Bank] represented.' Donald Jordan, *China's Trial by Fire: The Shanghai War of 1932* (Ann Arbor: University of Michigan Press, 2001), p. 10.
[101] SMA, U1-1-88: Watch Committee minutes, 27 May 1927.

maximise Japanese interests in a less militant way than was typical of the Japanese community in Shanghai by this period, as represented by the Japanese Ratepayers' Association and Federation of Street Unions.[102]

The question of Japanese representation on the council became more contentious, however, from 1937 when Japan occupied the rest of the city. As the Japanese population and thus the number of Japanese ratepayers in the Settlement increased far more rapidly than the rest of the foreign population, there was serious concern in the SMC, the wider western community, and in London about the possibility that the status quo would not be maintained and the Japanese ratepaying bloc would elect more Japanese council members at the expense of the British and American members. Exploiting the rules that allowed residents to hold more than one vote if they qualified as ratepayers or property owners for firms and as individuals, Japanese companies split their holdings to allow more Japanese votes to be exercised, further increasing the size of the voting bloc. Concern about this reached the Foreign Office in Whitehall: Ashley Clarke of the Foreign Office reported worriedly to the Secretary of the Treasury that the number of Japanese votes had increased from 873 of a total of 3,763 (23%) in 1936 to 1,930 of a total of 3,841 (50%) in March 1939.[103] British votes, meanwhile, fell from 1,403 (37%) to 1,309 (34%) in the same period, and as the number of Japanese votes continued to rise rapidly they looked to be in a position to out-vote British interests at the 1940 ratepayers' meeting and select their own choice of council members. Special dispensation was therefore granted from the Treasury for the Consul-General to waive the fee for British companies wishing to re-register their land in the name of more ratepayers, to split and thus increase British votes in the same way as the Japanese. The

[102] Henriot, "'Little Japan'", p. 154.
[103] TNA T 160/1142/16454/1: Ashley Clarke, Foreign Office, to the Secretary of the Treasury, 2 November 1939.

tactic worked: British votes increased by over 1,000, the approved five British and two American candidates were elected with around 8,000 votes each, while five Japanese candidates received around 5,000 votes apiece, maintaining the status quo.[104] This episode shows how flawed the democratic processes of the Settlement were, open to manipulation locally and from London at the expense of the Japanese majority when British domination was eventually threatened. For most of its existence, however, the balance of power was unquestionably with the British, and other members were eligible for election in part for their ability to work with the British.

The first Chinese members of council were similarly chosen for their ability to work alongside westerners. Table 2 below shows the international connections of certain key Chinese council members, as well as their political affiliations and business concerns. One of the first two Chinese councillors, Yuan Lüdeng, had served on the Chinese and Foreign Famine Relief Committee, a self-evidently cooperative venture. He was educated at a Ningbo missionary college and became a Methodist pastor from 1904 until 1912. Yuan was also active politically, being Deputy Chief Commissioner of Foreign Affairs and Communications in the Ningbo Military Government during the 1911 revolution.[105] Along with his colleagues on the council, he was a prominent businessman, managing Chinese tobacco and shipping firms among others as well as working as a Manager at the American Trading Company.[106] His fellow Chinese pioneer on the council, Shanghai native Zhao Jinqing, had a similar set of affiliations, as a deacon of the First Baptist Church in Shanghai, former president of the Shanghai YMCA, and member of the central executive committee of the Chinese General

[104] TNA T 160/1142/16454/1: Greenway, Shanghai, 3 and 12 April 1940. A further 'unofficial' British candidate stood for election but received fewer than 400 votes so was not elected.
[105] China Weekly Review, *Who's Who in China* (Shanghai: China Weekly Review, 1931), p. 487.
[106] Nellist (ed.), *Men of Shanghai*, p. 475.

Chamber of Commerce.[107] He also had strong ties to Nanjing, directing or helping direct a number of government departments including the Shanghai branch of the Ministry of Industry, Commerce and Labour.[108] Yuan and Zhao were typical of a section of the Shanghainese elite in their prominence in business and politics. At the same time, their Christianity demonstrates a degree of exposure to western culture which would have aided their interactions with other council members. These first Chinese council members faced an uphill struggle to influence council activities, but they sought to maximise their influence by acting together on issues of importance to the Chinese municipal government, with some success. They criticised, for example, the council's refusal to allow the Commissioner of Foreign Affairs to establish stamp tax collecting bureaux in the Settlement in September 1928, insisting on their opposition being recorded in the minutes in an astute use of council procedure.[109] As a result, the council postponed the closing of the bureaux, despite the reservations of the foreign members that they signalled an infringement of the principle of excluding Chinese government bodies from the Settlement.

Yuan and Zhao were followed onto the council in 1930 by similarly cosmopolitan Shanghainese. Prominent among them was Xu Xinliu,[110] Director of the National Commercial Bank in Shanghai and other financial and insurance companies. Xu was educated in Shanghai before going to Britain to complete a B.Sc. at Birmingham University, followed by training in commerce at Manchester and in finance in Paris. After returning to China he again travelled to Europe in 1918 on a

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[107] Shirley S. Garrett, 'The Chambers of Commerce and the YMCA', in Mark Elvin and G. William Skinner (eds.), *The Chinese City Between Two Worlds* (Stanford: Stanford University Press, 1974), p. 234.
[108] Nellist (ed.), *Men of Shanghai*, p. 476.
[109] SMA, U1-1-1246: A. M. Kotenev, 'Chinese taxation and government bureaux and officials in the International Settlement of Shanghai 1843-1930', compiled 16 May 1930, p. 81.
[110] Here, as with Chinese names elsewhere in this paper, I use the transliteration in common use at the time, with Pinyin and Chinese given in parentheses.

diplomatic mission and served as a technical delegate to the Paris Peace Conference.[111] Xu's international education and broad experience of Europe will have helped him to interact with the foreigners with whom he came into contact in the elite circles of Shanghai, which in turn facilitated his accession to the council once Chinese were finally admitted. Xu also illustrates the political prominence of the Chinese council members.[112]

[111] China Weekly Review, *Who's Who*, pp. 158-9.

[112] Xu allegedly paid the price for his political prominence with his life: he died in a plane crash that was blamed on the Japanese. See Zhang Jiasheng and Wang Lei, 'Qinhua rijun mousha yinhangjia Xu Xinliu de neimu' ('The Inside Story of the Murder of Banker Xu Xinliu by the Invading Japanese Army', *Wenshi Chunqiu* (June 2006), n.p.

Name	Dates on SMC	Native place	Business	Political connections	International connections
Yuan Lüdeng 袁履登 (Yuan Li-tun)	1928-41	Ningbo	Manager, Chinese tobacco and shipping firms among others; American Trading Company	Deputy Chief Commissioner of Foreign Affairs and Communications in the Ningbo Military Government during the 1911 revolution	Member, Chinese and Foreign Famine Relief Committee; missionary education and work as Methodist pastor
Zhao Jinqing 赵晋卿 (S. U. Zau)	1928	Shanghai	Member, central executive committee, Chinese General Chamber of Commerce	Director, Shanghai branch of Ministry of Industry, Commerce and Labour and other gov't bureaux	Deacon of First Baptist Church, Shanghai; former president, Shanghai YMCA
Xu Xinliu 徐新六 (Singloh Hsu)	1929-38	Hangzhou	Director, National Commercial Bank, Shanghai, and other financial and insurance companies	Technical delegate to Paris Peace Conference	Studied in Birmingham, Manchester and Paris
Chen Tingrui 陈霆锐 (Chen Ding-sai)	Watch & Traffic Committees 1928-32	Suzhou	Law; special editor of *Shenbao*	Delegate to settle rendition of the Mixed Court of the International Settlement	Studied in Michigan
Yu Qiaqing 虞洽卿 (Yu Ya-ching)	1929-40	Ningbo	Shipping; President, Chinese General Chamber of Commerce	Chair, Chinese Ratepayers' Association; council member, Shanghai Municipal Gov't; financially supported Chiang Kai-shek; 'sworn brother' of senior Green Gang figure Huang Jinrong	Worked for foreign as well as Chinese shipping co's
Liu Hongsheng 刘鸿生 (O. S. Lieu)	1930-32	Dinghai, Zhejiang (born in Shanghai)	Industry, property, insurance	General Manager, government-controlled China Merchants' Steam Navigation Co.	Sons studied in USA, England and Japan; member, Rotary Club and Union Club (President 1932)
Hu Mengjia 胡孟嘉 (T. D. Woo)	1931-33	Ningbo	Banker	Manager of the Treasury Department of the Central Bank of China	Studied in Birmingham and Manchester

Table 2: Prominent Chinese council members (those whose council activities are recording in committee minutes) and their affiliations.

Like Xu, Chen Tingrui received his higher education overseas. He initially funded his own way at the University of Michigan graduate law school before winning a rare scholarship: in admitting Chinese, the council was able to benefit from a highly educated and intelligent skill-base. At Michigan, Chen completed a thesis entitled 'The Principles of State Succession as Revealed by the Versailles Treaty',[1] demonstrating an extensive understanding of contemporary political issues which would be of use to him in his later council role. He practised and lectured in law in Shanghai on his return and went to Beijing in 1924 as part of the delegation sent to help settle the contentious issue of the rendition of the Mixed Court of the International Settlement.[2] This prior involvement in the politics of the municipality paved the way for him to join the council's Watch and Traffic Committees from 1928. He was a special editor of *Shenbao*, so may have been able to give the newspaper some insight into municipal business.[3] Chen and Xu served side by side on the Watch Committee and were active in raising the concerns of the Chinese community. In July 1928, in the first months of their membership, they suggested changes that could be made to improve security in the Settlement, including steps to restrict the trade in bullet-proof vests which aided violent criminals.[4] Immediate action was taken, the Commissioner of Police being requested to confer with the French Concession police in order to achieve the simultaneous adoption of the licensing of such vests, which suggests that the views of Chen and Xu were respected by their foreign counterparts. On other occasions Xu's opinion was specifically sought in committee meetings, such as on the appropriate admission

[1] China Weekly Review, *Who's Who*, pp. 64-65.
[2] For more on this, see Manley O. Hudson, 'The Rendition of the International Mixed Court at Shanghai', *American Journal of International Law*, Vol. 21, No. 3 (July 1927), pp. 451-471.
[3] Nellist (ed.), *Men of Shanghai*, p. 60.
[4] SMA, U1-1-89: Watch Committee Minutes, 20 July 1928.

charges to the Shanghai Hospital for the Insane in a Finance Committee meeting.[5] The chairman was thus making the most of having access to a Chinese perspective on council matters.

'The leading shipowner in China', Yu Qiaqing was perhaps the highest profile of the Chinese council members.[6] He chaired the Chinese Ratepayers' Association before and during his years on the SMC, was president of the Chinese General Chamber of Commerce, and occupied a seat on the council of the Shanghai Municipal Government, which ran the Chinese municipality, from its formation in 1927. Indeed, Yu was one of only five of the original 13 members who were re-selected to this council in 1932, identifying him as a faithful supporter of the Nationalist regime and a close ally of Chiang Kai-shek.[7] His links to Chiang dated to at least 1919 when he contributed funds to the future Guomindang leader.[8] Yu moved from vocal critic of the SMC to chief negotiator with Fessenden over the terms by which Chinese would be admitted to the council, and then to constructive member of the council from 1929. It was a peculiarity of semi-colonial Shanghai that an individual could serve the Chinese authorities and the International Settlement simultaneously, and he helped facilitate relations between the SMC and Chinese Municipal Government by having a foot in each camp. Evidently, just as the foreign members of council were pillars of the Shanghai establishment, so too were their Chinese counterparts. It was this which made

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[5] SMA, U1-1-62: SMC Finance Committee Minutes, 22 September 1933.
[6] Nellist (ed.), *Men of Shanghai*, p. 470. Yu was so well-known that Thibet Road (now Xizang Road) was renamed after him in 1943. SMA: U1-16-9-209: letter from Percy Chu, Chairman of Committee on Road Names and Monuments in the International Settlement, to K. Okazaki, Chairman SMC, 15 May 1943.
[7] Christian Henriot, *Shanghai 1927-1937: Municipal Power, Locality, and Modernization*, trans. Noel Castelino (Berkeley: University of California Press, 1993; first published Paris, 1991), pp. 53, 60. According to Feng Xiaocai, he also had links to the Chinese Communist Party as a 'bourgeois leftist'. Feng Xiaocai, *"Zuo" "you" zhijian: beifa qianhou Yu Qiaqing yu Zhonggong de hezuo yu fenbie* ('Between the "Left" and "Right": Cooperation and Division between Yu Qiaqing and the Chinese Communist Party around the Time of the Northern Expedition'), *Jindaishi yanjiu* (*Modern History Studies*) (May 2010), pp. 31-48.
[8] Martin, *Shanghai Green Gang*, p. 81.

their arrival on the council more palatable to foreigners who little over a decade earlier would have had few if any opportunities for social intercourse with Chinese and, moreover, would not have desired such opportunities.[9]

In July 1930 the five Chinese members of the council proposed a change to the way in which the extra-Settlement roads were policed, as a potential solution to a long-running area of contention with the Chinese authorities. They wanted a Chinese Commissioner of Police, of equal rank to the current Commissioner, to be chosen in consultation with the Mayor of Shanghai and to take control of the Chinese branch of the Shanghai Municipal Police. The extra-Settlement roads would then be policed solely by members of this branch, taking orders solely from the Chinese commissioner.[10] Surprisingly, the Chairman, Arnold, agreed in principle that these proposals could be workable, with the exception of allowing the Chinese commissioner to stand on an equal footing with the current head of the force. Yu, Xu and fellow Chinese council member Liu Hongsheng were appointed to a committee to investigate how this could be enacted.[11] In fact, the plan did not come to fruition, but it is hard to know whether this was more due to a lack of political will within the council or the outbreak of Sino-Japanese hostilities in 1932.

Both Chinese and Japanese council members sought to increase council spending on education for their respective communities. The council had long favoured the provision of

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[9] For prevailing British attitudes to Chinese in this period, see Bickers, *Britain in China*, pp. 23-26, 43-48 and *passim*. Yu was also involved in Shanghai's criminal underworld, being 'sworn brothers' with Du Yuesheng's patron, Huang Jinrong (黄金荣). Martin, *Shanghai Green Gang*, p. 21.

[10] SMA, U1-1-1247: A. M. Kotenev, 'Extra-Settlement Roads 1853-1930', 1 December 1930, p. 116.

[11] Liu was another prominent businessman, managing or sitting on the board of directors of more than a dozen firms, including property, insurance, and primarily industrial concerns, many of them housed in the Liu Building, 'one of the largest and most modern office buildings in Shanghai'. He was philanthropic with his wealth, founding two schools and a hospital in his hometown and the Thibet Road Hospital for Infectious Diseases in Shanghai. This suggests he would have supported municipal spending on Chinese health and education. Nellist (ed.), *Men of Shanghai*, p. 223.

an English education for foreign children in its budgets, expecting Chinese to provide for their own offspring. The Thomas Hanbury Public Schools for (mainly Eurasian) boys and girls employed British teachers who taught in English from a curriculum suited to Britain rather than Asia, down to setting mathematics problems in pounds, shillings and pence. An international range of children attended, but Chinese children were excluded. When the council invited Justice Richard Feetham to investigate how to resolve municipal problems in 1930, he endorsed the demand of the Federation of Street Unions, a vocal champion of Chinese residents, that more should be spent on schools for Chinese.[12] Chinese education provision proved a sharply divisive issue for the Education Board, the Chinese and foreign representatives clashing over the terms of the policy.[13] Council members Hu Mengjia and Xu Xinliu intervened to ensure that further problems caused by the conflicting approach of the neighbouring educational authorities did not derail the programme.[14] They were successful and from 1931 a portion of the municipal income from Chinese rates was set aside for Chinese secondary education in the Settlement. In 1934, the Chinese councillors lobbied for the grant to Chinese schools to be increased, and at the same time the Japanese members made a similar claim for Japanese schools.[15] The other members opposed the suggestions, citing the need for budgetary restraint: the council and its committees divided along national lines where interests conflicted. A compromise was nonetheless reached that increased the grant to both Chinese and Japanese schools, though by less than was demanded, so the council and its committees were able to resolve such issues once all sides could sit at the same table to present their arguments.

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[12] Feetham, *Report*, Vol. II, p. 9.
[13] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXV, 3 June 1931, p. 59.
[14] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXV, 17 June 1931, pp. 252-3.
[15] SMA, U1-1-62: Finance Committee minutes, 4 January 1934.

The minutes of council and committee meetings from 1928 indicate that the Chinese members contributed to council proceedings in a similar way to their British, American and Japanese counterparts, giving their opinion on matters under discussion when sought by the chairman. The examples above also show, however, that, like the Japanese, they acted as a discreet interest group on areas of council business when issues of contention for the Chinese authorities or community were on the table. Significantly, they were able to influence council policy by providing constructive solutions to controversial problems or simply by ensuring that Chinese interests were voiced at the appropriate moment.

Municipal staff

The council was in effect the executive committee intended to put the wishes of the ratepayers into practice. The day-to-day running of the Settlement was undertaken by the council's salaried staff, who were organised into departments under the direction of committees of council members and the occasional local expert from among the ratepayers. Nicholas Clifford argued that the council largely simply approved the actions taken by its senior employees,[16] which was true of much routine work, but any decisions that had to be taken were effectively made at the level of the committees: their recommendations were generally approved by the council. Committees consisted of members of the council with some relevant expertise and one or two similarly qualified ratepayers. In its use of committees the council followed common practice in English municipal government: Herman Finer called committees 'the real workshops of local government, [where] policy is decided, resolutions are made..., a general control over the activities of the staff is

[16] Clifford, *Spoilt Children of Empire*, p. 22.

exercised, and the estimates of expenditure for the relevant Departments are prepared.'[17] The metropolitan influence is again apparent.

Heads of department were present at committee meetings and could answer questions, but had no power to decide policy. It was increasingly the case, however, as committees grew in importance, that a strong character could persuade his or her committee to approve the actions he or she intended to take. J. H. Jordan, the Commissioner of Public Health, was one such figure, and Eleanor Hinder, the Australian Chief of the Industrial and Social Division and the only head of department not to be British (and male), was another. The vast majority of municipal staff were Chinese, but their municipal careers were confined to the lower ranks. From 1928 the council agreed to a policy of promoting more Chinese to senior positions, though the top posts remained beyond reach. By 1933 the policy was bearing fruit, with increasing promotion of Chinese to posts defined as 'under letters of appointment', which had previously been a euphemism for foreign employee.[18] A Chinese auditor was appointed and heads of departments had to become used to working with a Chinese deputy. These changes were concessions to the demands of the Chinese Ratepayers' Association, but made little difference to the experience of most Shanghainese with municipal personnel. The many members of staff who represented the council in an everyday capacity – tax collectors, police, teachers, nurses, public health assistants, public works employees and so on – had always been Chinese. While the council was dominated by the British, therefore, its governance was experienced through Chinese mediators.

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[17] Herman Finer, *English Local Government* (London: Methuen, 1950; first published 1933), p. 239; for more on English local government committees, see pp. 232-42.
[18] U1-1-62: Finance Committee, 22 September 1933.

Staff were recruited locally, in Britain and in parts of the British empire, especially Hong Kong. The primary recruiter was the council's agent in London, John Pook and Co., which advertised and coordinated interviews for candidates recruited in London. Advertisements were placed in newspapers and magazines (Robert Bickers quotes a notice in the *People* seeking recruits for the SMP alongside similar advertisements for workers required in the Seychelles, Singapore and Uganda).[19] Chinese employees (most notably, due to their numbers, the police) were recruited locally, but this was generally avoided for other nationalities. As for service in the empire, recruitment to the municipal staff from Europe all but halted during the First World War, resulting in increased local recruitment, including the establishment of a Japanese branch of the SMP, followed by a subsequent surge in new European staff from 1919.

Terms of service for British employees were typical of colonial contracts: five year periods of employment punctuated by nine months' home leave, with shorter periods of annual leave to be taken within China. The SMC owned a sanatorium in the mountain resort town of Moganshan for employees to take respite from the heat of the city for periods of up to 20 days during the summer months.[20] Salaries were generous by local and international standards. The French Concession paid its top officials, who were employees of the French Consul-General rather than the council per se, less than two thirds of the salaries received by their counterparts in the International Settlement: Tls. 11,100 for the chief of the *Garde municipale* in 1927, for example, as opposed to Tls. 18,000 for the

[19] Bickers, *Empire Made Me*, p. 32.
[20] Employees could take their wives and children, accommodation permitting. U1-16-9: General Order, 17 April 1935.

Commissioner of the Shanghai Municipal Police.[21] An eye was kept on how competitive the salaries offered in Shanghai were compared with similar positions in Britain and they were adjusted if found to be lacking.[22] High salaries generally ensured a steady supply of good applicants: typically eight per place for the SMP.[23] Foreign employees were paid an allowance in addition to the basic salary, ostensibly to compensate for living abroad but in reality to ensure a standard of living considerably higher than that available to Chinese, in order to preserve the perceived status of foreigners in Shanghai. Foreign employees also received family bonuses (for a wife and up to two children), locomotion allowances to heads of department and other staff of sufficient importance to justify the ownership of a municipal motorcar, and other allowances typical of the paternalistic employers of the day.

The great differential in the pay of foreigners and Chinese employees came under scrutiny when Chinese members joined the council, though it was not abolished. More significantly, as the council implemented a policy of retrenchment in the face of financial difficulties in the late 1930s, salaries were frozen. Retention of foreign staff became difficult in the Second World War as it had in the First, with men choosing to return home to fight for their countries, and the unattractive salaries in comparison with earlier levels of pay did not help. The growing gap between pay and the cost of living (due to both rapid inflation and the falling exchange rate) became a serious source of discontent for all employees and the SMC took on '*danwei*-like responsibilities for Chinese staff' to try to

[21] Clifford, *Spoilt Children of Empire*, p. 24. French municipal employees enjoyed the same terms of employment as those of the International Settlement, however: five year contracts with nine months' home leave. Cornet, 'Bumpy End of the French Concession', p. 266.
[22] U1-1-60: Finance Committee, 6 February 1922.
[23] Bickers, *Empire Made Me*, p. 33.

ensure their basic needs were met.[24] Nevertheless, a threatened strike by the Chinese branch of the SMP in December 1940 forced the council to address the issue of pay. Deciding that the long-delayed salary increase should be applied to all staff, the council went to the ratepayers the following January to seek their approval for an increase in rates to fund it. But this was 1941 and the Japanese community was keen to flex its muscles as the long domination of the Settlement by the British seemed to be about to give way to Japanese strength. The Chairman of the Japanese Ratepayers' Association, Yukichi Hayashi (林雄吉), tabled an amendment opposing the resolution for increased rates, threatening trouble if the amendment were defeated. When it was indeed defeated, the Japanese ratepayers approached the platform, which Hayashi re-mounted to fire his revolver at Keswick, the chairman, wounding him as well as Japanese councillor Okamoto.[25] Christian Henriot suggests that Japanese anger at the increase in rates may have stemmed in part from the double burden this community was under as its residents' association also charged its members taxes.[26] The popular opposition to the rise had put the Japanese council members in a difficult position: while representing the views of Japanese residents, they recognised the need to prevent a strike in the SMP that could have threatened the security of the Settlement and in fact proposed the measure that was tabled at the special ratepayers meeting which ended in disaster. As noted above, Japanese council members had British connections that made them sympathetic to the consensus among the other foreign members of the council. This time the council got its way: the meeting was rescheduled, the

[24] Bickers, 'Settlers and Diplomats', pp. 237-8.
[25] TNA FO 371/27631: British Consul-General, Shanghai to Foreign Office, London, 23 January 1941. Hayashi was sent to Nagasaki for trial where he was given a suspended sentence of two years' hard labour. For Hayashi's long-standing connections with Japanese nationalism in Shanghai, see Fogel, '"Shanghai-Japan"', pp. 927-50.
[26] Henriot, '"Little Japan"', p. 162.

Japanese ratepayers stayed away or abstained, and the motion was passed, enabling an approximately 40 per cent increase in salaries to municipal employees. The incident shows how municipal staffing and pay could be highly contentious issues in the charged political atmosphere of Shanghai.

Notable individuals

The Secretary was, by council ruling, the highest paid municipal employee.[27] The top position was held by J. O. P. Bland from 1897 (after joining the council from the Customs service the previous year) to 1906. A Malta-born Ulsterman, married to an American, Bland had worked in various Chinese treaty ports and in Beijing during his career at the Customs service. He typified a particular brand of the British presence in China, moving between the spheres of British influence seeking to make that colonial influence a new 'Raj' in China.[28] He stretched and re-moulded the position of secretary, from a largely administrative role to one that defined the council and its stance on key issues of the day. Notably, he was instrumental in negotiating the dramatic extension of the Settlement in 1899, and even after he moved on from Shanghai he wrote to his successor, W. E. Leveson, in 1911 urging him to grasp opportunities for further expansion.[29] Stirling Fessenden, whom we met above in his capacity as chairman, was Secretary-General for a decade from 1929, from which position he directed council activities and policies much like Bland. These Secretaries were typical council employees in many ways, in terms of their

[27] SMA U1-1-56: Finance Committee, 9 October 1908.
[28] Robert Bickers, 'Bland, John Otway Percy', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com/view/article/31920>, accessed 13 January 2012. See also Daniel Hopper, 'Yangzi Raj: J. O. P. Bland and the Struggle for British China' (forthcoming PhD Dissertation, University of Bristol, 2012).
[29] Bickers, *Scramble for China*, p. 362.

background (British or Anglophile and middle class) and also, significantly, in the force of their personalities and their drive for personal success. They occupied very commanding positions for unelected officers and used them to exert their influence over the direction of the council and how it angled for maximum advantage in Shanghai vis-à-vis the consular body and the Chinese authorities. Bland and Fessenden were more powerful than the chairmen of the council, who rotated more frequently and combined their roles with paid positions so had not the undivided time devoted to the council of the Secretary. From the 1920s committees had increasing power to shape policy, at the expense of the Secretary's autonomy,[30] yet, present in all municipal meetings and author of almost all important council correspondence, the Secretary remained in a unique position of almost omniscient power.

The Treasurer (Treasurer and Comptroller from 1920) was also a highly significant position from its creation in 1909. Attending all committee meetings at which budgetary considerations were tabled, the Treasurer exerted considerable influence reining in the expenditure of the council and its departments. Edward Franklin Goodale from London (the son of a coffee merchant, according to his baptism certificate) held the post from 1909 until his death in 1928.[31] He joined the council in 1907, and in being appointed Treasurer was promoted ahead of E. L. Allen, who was born locally in Shanghai in 1873 and dedicated his whole working life from 1889 until 1932 to the SMC, from 1910 as Superintendent or Commissioner of Revenue. To commemorate his long service Allen was presented with a gift at the ratepayers' meeting in 1922, his heartfelt appreciation of which indicates that he was a contented employee: 'I need hardly say that the gift will always be one of my most

[30] Bickers, *Britain in China*, p. 127.
[31] U1-3-312: Personnel file on Edward Franklin Goodale: baptismal certificate dated 5 September 1878.

treasured possessions; and the kind words which accompanied it are more appreciated than I can say.'[32] In 1929 the Staff Committee recommended Allen be granted an increase in pay, noting that in his long years of 'excellent' and 'faithful' service, he had never raised the question of pay, despite receiving what was considered to be a low salary (1,000 taels in 1929).[33] Goodale was not so content in his post, repeatedly demanding increases which caused considerable ill-feeling with the Secretary and in Finance Committee meetings.[34] Goodale worked tirelessly for the council, driving himself to illness in his later years. His doctor told the secretary in 1924 that Goodale was 'suffering from neurasthenia and nervous debility from overwork and I think he is very likable to have a breakdown if he waits another year before going on leave.'[35] This was granted, but in 1928 Goodale died at sea on his way to England on further sick leave, leaving behind a wife and two children.[36] The council benefitted from a very dedicated body of employees.

While other senior officers did not enjoy the same degree of authority as the Secretary or Treasurer, heads of departments exercised considerable power in their respective fields. The Public Health Department was headed by Arthur Stanley from 1898 to 1922, during which time he built it up to have a strong impact on the hygiene of the Settlement (see pp. 215-19 of this thesis). This work was continued by C. Noel Davis and then passed into the capable hands of Ulsterman John Herbert Jordan (known as Jack) in

[32] U1-3-66: Personnel file on E. L. Allen: Allen to A. Brooke Smith, Chairman, 24 April 1922.
[33] U1-3-66: Staff Committee 28 February 1929.
[34] For the most explicit example of these tensions, see exchange between Secretary and Treasurer 9 and 16 July 1915 in U1-3-312 and the Finance Committee minutes of 2 July and 3 December 1915 in U1-1-58. At the latter meeting Goodale revealed that he had sought legal advice about his contract and acknowledged that he was not entitled to the increase he had sought, which the committee members noted 'with satisfaction'. See also exchanges between Goodale and the Secretary in 1922 and other notes in the personnel file.
[35] U1-3-312: Dr Gauntlett to Secretary, 23 April 1925.
[36] U1-3-312: telegram from W. H. Trenchard Davis of the SS Mongolia, Peninsula and Oriental Steam Navigation Company, at Suez, 4 May 1928.

1930.[37] Jordan, who had been born in Beijing but returned from Britain to China when recruited by Pook's to be Assistant Health Officer in 1922, quickly proved himself an able manager. His appointment at Tls. 700 prompted Dr McKinstry, Assistant Health Officer, to demand a reconsideration of his terms of service or repatriation with compensation for he and his wife in protest at a more recent appointee being given higher pay and thus seniority than his Tls. 545.[38] Usually seniority, by length of service, determined rank and pay, but Jordan and Dr E. P. Hicks, both appointed as Assistant Commissioners in the Pathological Laboratory in 1922 on the same scale, were older and considered to have better qualifications and broader experience than McKinstry, who had joined the municipal service a year earlier. Pook's had advised the council when appointing McKinstry that suitably qualified men had not applied so they had simply appointed the best of the candidates, which had prompted the council to subsequently offer the higher salary in order to attract men of the calibre of Jordan and Hicks. The Health Committee recommended McKinstry's pay be raised, despite the protestations of Fessenden, who chaired the committee, the Treasurer and Comptroller who feared the precedent created, and the judgement of Davis that McKinstry did 'not appear to be the type of man suitable for promotion to the senior positions in the department' due to 'a certain crudeness, immaturity or lack of educational refinement.'[39] Men who occupied senior positions in the SMC were representatives of the council as much as its members, and there was an expectation that

[37] Davis was prominent in Shanghailander life, being a keen participant in the regular paper hunt (and master of the hunt 1925-28) which several members of council also joined or led. C. Noel Davis, *A History of the Shanghai Paper Hunt Club, 1863-1930* (Shanghai: Kelly and Walsh, 1930), pp. 29, 40, 166.
[38] SMA U1-1-123: Health Committee, 13 July 1922.
[39] *Ibid.*

they should belong to the higher ranks of society.[40] McKinstry clearly fell short of this and was destined to remain a mere technician.[41] Jordan, on the other hand, was the son of Sir John Jordan, onetime British Minister to Beijing, had studied at Cambridge and had been a Major in the Royal Army Medical Corps.[42] Davis had Jordan take his place when he was absent, despite this responsibility normally falling to the second in department in terms of seniority (McKinstry), which caused controversy in the Health Committee.[43] The difficulty in attracting public health officials of a sufficient standard continued to be a problem for the SMC. In 1928 Dr R. J. Marshall suggested the causes were the high cost of living in Shanghai, the lack of opportunity for promotion except when senior officials retired or died, and the political instability at that time. He recommended that Pook's be asked to expand their centres for recruitment beyond London, which was endorsed but appears to have made no difference to recruitment practices: the SMC looked to London for its senior staff in all departments as a matter of course.

This was not the case, however, for the Industrial Section, established in 1930. In contrast to men like Jordan, its chief, Eleanor Hinder, provides a compelling example of the kind of transnational individual who worked for the SMC in its later years. An Australian who was educated in the sciences at the University of Sydney, Hinder left her career as a Biology schoolteacher to take up employment as the Welfare Officer of an industrial concern in Sydney. Her first visit to China came in 1923, at the behest of Mary Dingman and Evelyn Fox of the YWCA. It was her first journey abroad and it made a deep and

[40] The provision of motorcars was similarly intended in part to maintain the prestige of the senior council staff.
[41] McKinstry's social position would have been something akin to that of the fictional Hong Kong bacteriologist Walter Fane in W. Somerset Maugham's *The Painted Veil* (London: Vintage, 2007, first published 1925).
[42] Information kindly provided by Adam Jordan, relative of Jack Jordan, 12 April 2010.
[43] U1-1-124: Health Committee, 30 October 1925.

lasting impression: she later recalled that 'a revolution took place within me.'[44] Hinder returned to China in 1926 with funding from the Rockefeller Foundation, administered by the YWCA of China, to help improve industrial conditions in the country. In this capacity she employed and trained Chinese who later worked with her for the SMC.

In 1931 Hinder offered her services to the council to help it carry out its new policy of factory inspection, in response to the promulgation of a Factory Law by the Chinese government.[45] Ideally placed for this work as she had advised the Chinese government on the practical implementation of the new law, Hinder was employed by the council as Director of the new Industrial and Social Section, a post she held until 1942 and which is discussed in chapter five. In this capacity she successfully held her own in the patriarchal SMC, where women were conspicuous by their absence from political affairs and senior positions. At a time when women were entering the British parliament and claiming their place in the public sphere,[46] no women were ever admitted to the Shanghai Municipal Council (although the principle was reluctantly admitted in 1923).[47] In subsequent years women did, however, join certain committees on which the council felt they could make a contribution, namely the Education, Health, Film Censorship, Library and Orchestra Committees.[48] (There was deemed 'no point' in admitting women to the Rate Assessment

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[44] MLMSS 770/13/8, draft of Hinder's autobiography, chapter 5, p. 3.
[45] SMA: U1-6-111: Eleanor Hinder to E. B. Macnaghten, Chairman of the SMC, 13 December 1931. The implementation of the Factory Law within the Settlement was a great source of contention between the SMC and the Chinese municipal authorities. See Ma Changlin, '*Shanghai zujie nei gongchang jianchaquan de zhengduo – 20 shiji 30 niandai yichang kuangri tejiu de jiaoshe*' ('The Battle for Factory Inspection Rights within the Shanghai Foreign Concessions: the prolonged negotiations of the 1930s'), *Xueshu yuekan*, (May 2003), pp. 63-70.
[46] Margaret Bondfield became the first female member of Cabinet in 1929, though not without opposition. Brian Harrison, 'Women in a Men's House: the Women M.P.s, 1919-1945', *Historical Journal*, Vol. 29, No. 3 (September 1986), p. 629.
[47] Zhang Qian (ed.), *Minutes of SMC*, Vol. XXII, 14 March 1923, p. 309.
[48] U1-4-1068: SMC minutes, 1 July 1931; E. T. Nash to Secretary, SMC, 15 April 1935 (notes courtesy of Robert Bickers). See also Robert Bickers 'Citizenship by Correspondence in the Shanghai International

Committee and evidently the Watch and Finance Committees were considered to be appropriately male in nature.) Hinder nevertheless achieved significant concessions towards gender equality in the SMC, such as successfully demanding equal pay for the women employed in her department as the men, even though this conflicted with standard practice across the council and among contemporary employers in general.[49]

Hinder was a popular figure among many nationalities in Shanghai. One Shanghailander told a journalist that 'Eleanor Hinder in this city is worth more than a thousand posters advertising Australia.'[50] Her department was also one of the most international. The British dominance of senior posts seen in every other department of the council was absent: Chinese, Danish, Austrian, Japanese and New Zealander staff interacted in this cosmopolitan department, and Hinder attempted to foster comradeship between all nationalities.[51] One such employee was Rewi Alley, a New Zealander (industrial reform was a somewhat Antipodean business in the Settlement). Alley was politically opposed to the very existence of the International Settlement, later describing it in his memoirs as a place for 'get-rich-quick foreign imperialist adventurers and opium traders... to carry on their nefarious business',[52] yet he nevertheless began his career in Shanghai working for the SMC, first in the Fire Department and then in the Industrial Section. Anne-Marie Brady wrote that Alley's 'personal mission in the 1930s was to

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Settlement, 1919-43' in *Citadins et Citoyens dans la Chine du XXe siècle, Mélanges en l'honneur de Marie-Claire Bergère*, ed. by Yves Chevrier, Alain Roux et Xiaohong Xiao-Planes (Paris: EHESS/MSH, 2010) p. 236, n. 42.

[49] Hinder, *Life and Labour*, p. 24.

[50] State Library of New South Wales, Mitchell Library (hereafter MLMSS) 770/19/13: Eleanor Hinder papers, R. C. H. McKie, 'Eleanor Hinder: Her Work in the Far East', *Sydney Morning Herald*, 23 July 1940.

[51] Hinder, *Life and Labour*, p. 25. Though published in 1944, Hinder wrote this work in 1941, when defending the existence of the SMC was still key to the way she anticipated solving labour problems in Shanghai. The bias towards the activities of the Division are thus palpable.

[52] Rewi Alley, *Travels in China, 1966-71* (Beijing: New World Press, 1973), p. 61.

ameliorate the suffering of China's poor',[53] and for the time being he found Hinder's department the best place to attempt to pursue this goal. He moved on, however, to help found China's Industrial Cooperatives which helped provide a livelihood to thousands of refugees in the Chinese hinterland, and in 1949 he chose to stay in the new People's Republic.[54] His views were thus antithetical to those of the council members who employed him, demonstrating the broad mix of people who were represented among the municipal personnel by the council's later years. Hinder herself went on to work for the International Labour Organisation and the young United Nations, throwing herself into the new international environment established after the Second World War.

Shigeru Uyehara represents a different kind of internationalism that emerged among the municipal staff in the 1930s. Originally from rural Gifu, 150 miles west of Tokyo, and a well-to-do family that could trace its roots to *samurai* of the sixteenth century, he studied at Keio University and then joined the Ministry of Foreign Affairs.[55] He left Japan in 1917, aged 25, on his first overseas posting, to Singapore, took subsequent billets to South Africa and London, and finally joined the council's service in 1930 as the nominee of the Japanese

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[53] Anne-Marie Brady, *Friend of China: The Myth of Rewi Alley* (London: Routledge, 2003), p. 27.

[54] Rewi Alley was recently the subject of a multi-part documentary devoted to his life in China on Chinese state television, naming him one of the 'top ten friends of China' and describing his socialist awakening on seeing Communists shot by Guomindang soldiers for trying to organise a trade union and subsequently reading *Das Kapital*. In fact, Anne-Marie Brady points out that his Communist credentials during his years living in Shanghai were exaggerated both by him and by his boosters in the post-1949 People's Republic as his place as a sympathetic foreigner was secured. What is known is that he was on good terms with such prominent left-wing Chinese figures as Song Qingling, Sun Yat-sen's widow, and he had connections with the underground Communist Party in Shanghai in the 1930s, which may have extended to harbouring party members in his flat and allowing its use for Communist radio broadcasts. No such communist activity by him was known to the SMP, however, enabling him to serve the SMC in his capacity as Chief of Factory Inspection while engaging with political circles that were antithetical to the free-trading imperialist principles under which the British-dominated council operated. Brady, *Friend of China*, p. 28; 'Rewi Alley: Part Two', <http://english.cntv.cn/program/documentary/20110608/100166.shtml>, broadcast on CCTV 9 on 6 August 2011, accessed 10 October 2011.

[55] Uyehara's university studies included French and he undertook dissertation research on the labour movement, when he 'began to think about the irrational differences between the rich and the poor.' Cecil Uyehara, 'The Uyehara Story: The Tale of Two People: Shigeru Uyehara and Vera Eugenie Foxwell Uyehara' (unpublished manuscript lent to me by the author, dated 2009), pp. 1, 8, 15, 18, 29-30, 33-6.

authorities for the position of Deputy Commissioner of Police. He was the ideal man for the job, having broad international experience and particularly because he was fluent in English, the language of council business. Not only had he studied the language but he had pursued a masters degree at the London School of Economics and had met, fallen in love with, and married an Englishwoman.[56] Arriving in Shanghai with his wife from London and their young son, he was well-placed to negotiate the increasingly conflicting interests of the council and its police force with the Japanese community and authorities.

Uyehara got on well with the Commissioner of Police, Major F. W. Gerrard, who was sent to Shanghai on secondment from service in India to investigate and make recommendations on the reorganisation of the SMP.[57] Uyehara saw Gerrard as a gentleman soldier, trained at Sandhurst, but found the other British officers and men irritatingly arrogant, having, in his view, little to justify their arrogance. It chafed when the lower ranks failed to salute him as they should, as the racism that characterised the Settlement persisted.[58] His wife, Vera, also had difficulty finding her social position as a middle class British woman married to a Japanese, who felt herself to be of superior standing to the wives of many of the British police officers. Neither of them would have countenanced socialising with Chinese, so their social circle centred on the Japanese diplomatic elite and Uyehara increasingly allied himself with the Japanese position as the 1930s wore on.[59] He was nevertheless accused by the Japanese community and authorities of failing to put his nation's interests first, and his memoirs recall a sense that his first loyalty was to his municipal employers rather than the Japanese authorities which had nominated him for the

[56] Uyehara, 'The Uyehara Story', pp. 59-67.
[57] U1-1-89: Watch Committee, 6 August and 6 November 1930.
[58] Uyehara, 'The Uyehara Story', p. 86.
[59] Uyehara, 'The Uyehara Story', p. 188.

position.[60] When the Japanese Residents' Association presented three candidates for election to the SMC in 1934 as a way to increase Japanese representation, Uyehara criticised their naivety in believing that the westerners would allow this infringement of their dominant position without a fight. Uyehara could see both sides of the increasingly tense relationship between the Japanese and Anglo-American communities, and although he became more nationalistic in the face of British racism and the turbulence of the period, according to his son he remained a life-long Anglophile.[61] While the council's departments such as the police force became more diverse in the people they promoted to senior positions, sympathy to its fundamentally British roots was an asset.

Scant sources are available on Chinese municipal employees, but one remarkable woman was interviewed in an oral history project in 1990s Beijing and part of her story recounted her years working for the SMC. Chen Yongsheng came from a progressive family in Changsha, Hunan: she recounted that her father and other male relatives had studied abroad and were 'inclined to western ideas'.[62] Her feet were not bound, and she was sent to school in Changsha and in Beijing when the family moved there. Very much a child of the modernising imperative of her generation, at the age of 16 (in 1916) she decided not to marry, determined instead to live independently and work in women's physical education in order to help build a 'strong nation'.[63] With this end in mind, in 1918 she joined the physical education school run by the YWCA in Shanghai, where she participated in the May Fourth student movement as part of the Shanghai Students' Union. Later, she

[60] Uyehara, 'The Uyehara Story', pp. 90, 103-4.
[61] Cecil Uyehara, personal interview, 4 May 2011.
[62] Wang Zheng, *Women in the Chinese Enlightenment: Oral and Textual Histories* (Berkeley: University of California Press, 1999), p. 260.
[63] Wang Zheng, *Women in the Chinese Enlightenment*, p. 264.

won a scholarship to become the first Chinese student at the Baptist Baylor College of Women in Texas, graduating in 1927 with a BA in English. After a stint teaching in Burma, becoming the first female school principal in Shandong and then the chief executive of the YWCA in Hangzhou, Chen returned to Shanghai to teach physical education in the University of Shanghai. When the university was forced to move to a smaller site with no room for physical education due to the Japanese occupying the site from 1932, Chen joined the staff of the SMC girls' school, benefiting from the expansion of municipal spending on Chinese education won by her compatriots on the council. Recalling the ten years during which she worked at the school, Chen described it as her 'golden age' when she enjoyed 'a comfortable life' with good working conditions and a higher salary than her previous roles or other teaching posts, enabling her to rent a large apartment alone, employ a housekeeper, and take taxis with friends to watch movies and eat in restaurants.[64] She also enjoyed being given 'a free hand' in her teaching, allowing her to initiate physical education programmes comparable to those in schools in the USA or Britain, which were forbidden in Chinese-run girls' schools.[65] Several of her colleagues at the school had studied overseas and all were college graduates, demonstrating the quality of employee the council was able to attract to its schools with its generous salaries and the internationalism of its staff. Not all municipal employees were perhaps as content as Chen, but her experience suggests that despite the inequality systemic in the council's staff, with higher salaries and greater promotion

[64] Wang Zheng, *Women in the Chinese Enlightenment*, pp. 260-71.

[65] After the conclusion of the Sino-Japanese War, Chen worked in a western school in Shanghai, then paid her own way through a Master's degree in special education at Columbia University. In 1949 she opened China's first school for disabled children, but was dismissed in 1951, beginning the trials that dogged her through the Maoist years as her western experience made her a political target, particularly during the Cultural Revolution. Wang Zheng, *Women in the Chinese Enlightenment*, pp. 271-6.

opportunities for foreign employees, Chinese who worked for the council were broadly better off than they might have been in comparable work elsewhere in the city.

Conclusion

This study of the councillors and staff of the Shanghai Municipal Council reveals the British domination but also the international range of people involved in the municipality. Showing the intersections and overlaps in the life stories of some prominent individuals allows a greater understanding of how and why the council developed its distinct nature, as the foreigners who shaped it identified at once with 'Home', the empire, and Shanghai and China. The SMC was far from democratic, yet it did reflect the attitudes of those whose interests it existed to serve, namely the business community of the Settlement. This was reflected in the mixture of expatriate and settler council members, many of them directors of multinational companies, but also in the Chinese council members from 1928, who were all prominent businessmen. The peculiar form that colonialism (that is, intervention by the imperial state) assumed in Shanghai is underlined by the varied input of the Foreign Office, at times able to influence the council's membership, at others exasperated by the recalcitrance of the independent council, most clearly in the 1920s. The importance of the staff in the day-to-day running of the Settlement has also begun to become clear, especially key individuals such as the Secretary and heads of departments, and will be further demonstrated in the following chapters.

It is evident that the council's nature evolved over time, especially from 1928 when the first Chinese council members finally took their seats, although the slow progress on this issue illustrates the entrenched prejudice which held back change. Always international

in its police and defence forces, the council gradually and reluctantly allowed a more diverse range of people into its offices and chambers to influence and implement policy. Influence policy they did, from methods of policing and the level of taxation to the allocation of funds to education and industrial welfare. Japanese and Chinese council members did not enjoy equality with their British and American counterparts, but they were able to reach compromises that satisfied, to a greater or lesser extent, all sides. This was partly because they had an atypically cosmopolitan background: well-travelled, often western-educated or otherwise thoroughly exposed to western ideas, and mixing in the elite circles of Shanghai's more cosmopolitan clubs and societies. From the late 1920s and particularly the 1930s, a more international range of voices on the council enabled a discernable change in the direction of council policies in certain areas, notably Chinese education and industrial reform. Meanwhile, Japanese were promoted to positions of higher authority, such as Uyehara in the SMP, and more diverse nationalities were represented, as in the Industrial Section. The old British grip on the council was loosening slightly, as the body which ran the International Settlement finally became a little international itself.

Chapter Two: The Finances of the SMC

'...it should be borne in mind that the cost of defraying the expenses of the Government of the Settlement is borne exclusively by the residents within it, and by dues which are levied on goods which are landed or shipped within its limits – neither the national authorities of the Foreign Residents, nor the local authorities of the Chinese Residents, contributing one farthing towards the Budget of expenses...'[1]

The independence of the Shanghai Municipal Council to manage the internal affairs of the International Settlement depended primarily on the fact that it was self-funded. The quotation above, from a council statement to ratepayers in support of revisions to the Land Regulations in 1866, demonstrates that awareness of this reality informed the council's efforts to formalise and extend its powers from its earliest days. By 1900, the council benefited from a number of sources of revenue in addition to rates from the Settlement's inhabitants and customs duties – debenture loans being the most significant – but it remained true that it benefitted from no outside sources of funding and had to meet the demands of managing the heart of China's most modern and populous city on its own.

Note on currencies: the dominant currency of trade in China until around 1920 was the silver Mexican dollar, but the standard currency used for trade calculations and formal transactions was the tael, which could vary in value between different parts of China. The Shanghai tael, adopted by the foreign community in 1858, had a net weight of about 517 grains of pure silver, and it was in this form that local banks stored silver reserves. Other currencies were accepted, including European and American coins and notes, and in 1914 the Chinese government issued its own dollar, which contained about 369 grains of pure silver. These gradually overtook the Mexican dollar as the standard currency, until in 1933 the Nationalist government coined a new dollar, worth about 1.7 per cent less than the 1914 dollar. The tael was abolished the same year, so the new Chinese dollar became the standard currency for use in trade and formal transactions. Until 1933, therefore, the Shanghai Municipal Council recorded its finances in taels, with the exception of dealings with Chinese in dollars, and this is reflected in this chapter and throughout the thesis. For more on the Shanghai tael and the Chinese dollar, see Frank H. H. King, *Money and Monetary Policy in China, 1845-1895* (Cambridge, Mass.: Harvard University Press, 1965), pp. 171-81; John Parke Young, 'The Shanghai Tael', *American Economic Review*, Vol. 21, No. 4 (December 1931), pp. 682-684; and Dickson H. Leavens, 'The Silver Clause in China', *American Economic Review*, Vol. 26, No. 4 (December 1936), pp. 650-659.

[1] Memorandum submitted by a committee of the Shanghai Municipal Council with the revised Land Regulations to the Ratepayers' Meeting in March 1866, in Feetham, *Report*, Vol. II, pp. 55-56.

All the activities of the SMC that are considered in this thesis depended on the ability of the council to collect sufficient revenues to fund them, and as the role of the council expanded, so did its required income. The coffers were filled by rates, paid by individuals and businesses with a certain amount of property or wealth, by customs dues, by license fees, and by loans, notably the annual municipal debentures. All these sources of revenue required strong governance. An ability to secure loans at affordable rates of interest is dependent on the debtor's credit rating, and the council had to ensure it maintained the trust of its creditors. This was made easier for the SMC by its 'gilt-edged' status: the presumed backing of the British government for the council gave the impression of absolute political stability. Nevertheless, councillors and other members of the Shanghailander establishment often voiced the concern that local disturbances would damage the creditworthiness of the council. The same sections of the community worried that property values would be affected by political uncertainty,[2] but as the period was characterised by property booms this fear seems to have been unfounded (see Table 3).[3] A fall in property values would have had a direct bearing on the tax revenue available to the council, as rates were assessed by the value of property owned, so it had good reason to seek to preserve political stability. Tomoko Shiroyama points out that banks and investors

[2] The retrocession of Hankow in 1927, for example, was seen to have caused uncertainty about Shanghai's future status and therefore threatened the value of property investments in the settlement. The assessed values of foreign and Chinese houses inside the settlement and in the extra-settlement area where the special rate was collected show, however, that values continued to rise steadily. See Table 3.

[3] Huge profits were made by the real estate companies which proliferated in Shanghai in the early years of the twentieth century, as the price of land in the Settlement increased from Tls. 12,000 of silver per *mu* in 1903 to Tls. 35,000 in 1907. Meng Yue, *Shanghai and the Edges of Empires* (Minneapolis: University of Minnesota Press, 2006), pp. 175-6.

alike gave credit based on Settlement real estate, assuming it to be secure collateral.[4] The SMC was trusted to preserve this.

Assessed values in:	Foreign houses within IS (Tls.)	Foreign houses outside IS (Tls.)	Chinese houses within IS ($)	Chinese houses outside IS ($)
1925	14,093,266	1,811,723	19,443,900	241,489
1926	14,523,116	2,073,866	23,874,164	439,864
1927	15,626,022	2,182,974	25,340,686	606,394
1928	16,414,293	2,257,198	26,684,638	685,610
1929	17,852,617	2,415,480	28,330,018	762,230
1930	20,379,468	2,808,193	29,838,376	790,476

Table 3: Assessed property values, 1925-1930. These values show the stability in property values within and outside the International Settlement (IS), rising fairly steadily during a volatile period.

Even more tellingly, the ability of a governing body to exact taxation from its populace rests on its legitimacy to do so, and thus to rule, in the eyes of the taxpayers. Challenges to the collection of rates and licenses can therefore be seen as a direct attack on the right of the SMC to govern the International Settlement. In 1919, Chinese ratepayers refused to pay their rates, demanding a greater say in the running of the council (consciously reminiscent of the old demand for 'no taxation without representation'). As a consequence, the Chinese Ratepayers' Association was established the following year to campaign for the rights of these elite members of the Chinese community. This body

[4] Tomoko Shiroyama, *China During the Great Depression: Market, State, and the World Economy, 1929-1937* (Cambridge, Mass.: Harvard University Press, 2008), p. 71.

became a significant voice in the strengthening Chinese nationalist discourse of 1920s Shanghai, and had a bearing on many of the areas of council work which are analysed in this dissertation. When Chinese residents again refused to pay the rates in 1927, the council finally reached an agreement with the CRA on how Chinese representation should be achieved, so opposition to taxation was a major catalyst for political change in the Settlement.

This chapter begins with a brief overview of how the council's financial policies were formulated and implemented. The major sources of revenue are then explored. Loans and their significance are discussed in depth, including who invested in the council and how the council spent this revenue, the ways in which the council's ability to borrow at affordable rates reflected its own security and conditions in the wider lending markets, as well as insights into the culture and processes of the Finance Committee and Department. The chapter then moves on to look at taxation in the Settlement, setting out how the system operated before focussing on two distinct opposition movements, in 1919 and 1927, and their political significance. This enables an evaluation of exactly how robust the perceived legitimacy of the Shanghai Municipal Council was, as indicated by its relative success in collecting revenues.

The Finance Committee and Department

Established in 1897 and initially consisting of three members, the Finance Committee increased to four in 1915 with the addition of a Japanese member, five in 1922, six in 1928, including for the first time two Chinese committee members, and finally seven members from 1930. The committee met and deliberated on financial matters, drawing on

information provided by relevant staff (the Treasurer and later the Commissioner of Revenues attended meetings, along with the Secretary who kept the minutes and on occasion the heads of other departments whose expenditure was under consideration).[5] It then made recommendations to the full council; only when approved by the council proper was policy decided.

The decisions made by the Finance Committee were put into practice by its staff in the Secretariat, until in 1909 a Finance Department was established under the newly-appointed Treasurer. As head of department the Treasurer was responsible to the committee for the smooth-running of the council's finances and for balancing the budget each year. This was submitted to the ratepayers at their annual meeting for approval, and every last penny (or, rather, copper cash) of municipal income and expenditure was accounted for. The Treasurer recommended the rate at which municipal loans should be floated and other important details of municipal financial policy, which were almost always adopted by the committee and then the council. The Taxation Office, under the Superintendent of Revenues (Overseer of Taxes from 1918) with responsibility for collecting the rates, was kept within the Secretariat as its management called for 'little if any improvement' until 1914, when all financial business was brought under the purview of the Treasurer.[6]

The Municipal budgets were audited professionally from 1902, having hitherto been audited internally only, and from 1904 a regular arrangement was made with the local firm Burkill and Sons to provide a municipal auditor.[7] In between the general audits, however, internal audits were undertaken by the staff of the Finance Department, on the basis that

[5] Again, this was in keeping with English local government practice. Finer, *English Local Government*, p. 232.
[6] U1-1-65: Finance Committee, 18 November 1909.
[7] U1-1-56: Finance Committee, 11 April 1904.

they were more familiar with the workings of the council so could do a more thorough job. The Finance Committee referred to this being common practice in 'certain Colonial Government Services and other civil services', making the case that municipal practice should be modelled on these rather than the norms in business with which committee members were more familiar. The introduction of independent auditing and the establishment of the Finance Department in the first decade of the century signalled a clear move towards a more professional footing for the municipal finances.

Sources of Revenue

i) Loans

The finances of the Shanghai Municipal Council were organised on the same lines as all modern states. Regular, 'ordinary' expenditure on ongoing services was paid for primarily from taxation in the form of rates and land tax ('ordinary income'), while the cost of long term capital investment projects such as building works and land procurement was spread across many years by floating loans ('extraordinary income'). This is the 'fiscal state' model which developed in the eighteenth century in western Europe, most successfully in Great Britain, in place of the 'tax state' which relied on income from direct and indirect taxation.[8] The ability to borrow large sums at affordable rates enabled the council to invest in the long-term future of the Settlement, indicating the confidence it had that the status quo would continue, as well as the confidence of investors that the council would remain

[8] M. J. Daunton, *Trusting Leviathan: the Politics of Taxation in Britain, 1799-1914* (Cambridge: Cambridge University Press, 2001), p. 5; Richard Bonney, 'Introduction', in Richard Bonney (ed.), *The Rise of the Fiscal State in Europe, c. 1200-1815* (Oxford: Oxford University Press, 1999), p. 3 and *passim*. Daunton and Bonney also agree that the tax state in turn had broadly replaced the 'domain state' of medieval Europe, in which monarchs relied on the income from their landed domains.

sufficiently financially secure to honour its obligations. The Treasurer estimated that public works projects lasted, on average, 43 years, and loans were issued with a life of between ten and thirty years to spread the cost of this large-scale expenditure, giving debenture-holders a stable, long-term investment.[9] The significance of borrowing to the municipal revenues is shown in Figure 4. Broadly speaking, as the scale of extraordinary expenditure on municipal projects increased, extraordinary income – including borrowing – came to provide a significantly higher proportion of municipal revenues. In 1920 extraordinary income exceeded taxation revenues for the first time, but the general pattern was for loans to provide around one fifth to one quarter of municipal revenues. Extraordinary income consisted almost entirely of revenue from loans, with the exception of the years following the sale of the Electricity Department in 1929 for 81,000,000 taels, to be paid over five years,[10] obviating the need to borrow any funds until 1934. (This explains the spike in extraordinary income shown for 1930 in Figure 4.) In all other years, loans were crucial to the municipal revenues.

[9] SMA U1-1-57: Minutes of the Shanghai Municipal Council Finance Committee, meeting held 9 February 1911. The council kept the option of early redemption open to itself, but normally allowed the loans to extend for the full life of the debt, which made them popular with investors seeking long term security. W. A. Thomas, *Western Capitalism in China: A History of the Shanghai Stock Exchange* (Aldershot, Hants: Ashgate, 2001), p. 61.

[10] SMC, *Report for 1929*, p. 330.

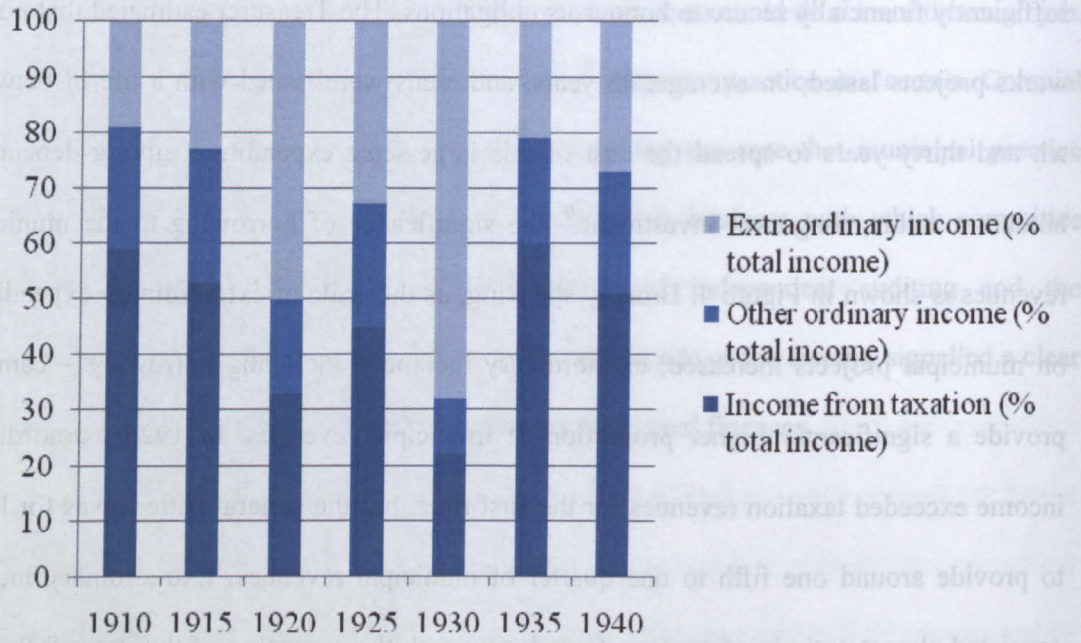

Figure 4: Comparative chart showing percentage revenue from taxation and extraordinary income, 1910-1940.[11]

The council made its first issue of fixed securities when it found itself in debt in 1872. Modest borrowing of around 30,000 taels every few years increased rapidly and by the 1890s the council was borrowing hundreds of thousands of taels each year.[12] Municipal debentures were bought by local and international firms, banks, and wealthy individuals seeking a secure investment with a steady return: the council was advised by a representative of the Hongkong and Shanghai Bank that most investors bought debentures 'for purposes of regular income'.[13] It is significant that this, the bankroller of British enterprise in East Asia, provided financial advice to the SMC. It was the council's own

[11] SMC, *Reports for the years 1910-1940.*
[12] Thomas, *Western Capitalism*, p. 60
[13] SMA U1-1-56: Finance Committee, 9 May 1910, quoting Mr Saunders of the Hongkong and Shanghai Bank. For more on the Bank, see Frank H. H. King, Catherine E. King and David J. S. King, *The History of the Hongkong and Shanghai Banking Corporation* (Cambridge: Cambridge University Press, 1987).

bank, and it advised the SMC on aspects of municipal financial policy and issued loans to and on behalf of the council. The SMC supplied almost the entire local market for fixed interest securities, as shown by the table of local debentures printed in the *Weekly Share Supplement* which accompanied the *North-China Herald*.[14] The list was dominated by the council's annual issues, followed by the utility companies (Waterworks, Gas, Telephone), and then local firms (notably the Shanghai Land Investment Company) and establishments (such as the Shanghai Club and Race Club).[15]

Applications for municipal debentures were made either directly to the council's offices or indirectly though a broker, in which case the council paid a small commission to the broker. In 1919 there were 423 foreign investors, mainly based in Shanghai or Hong Kong and including many Japanese banks and firms, and 73 Chinese investors.[16] Though foreign investors dominated, it is significant that a considerable number of Chinese individuals and firms chose to invest in municipal debentures, identifying their business interests and financial security with the success of the council. Indeed the council began to make a concerted effort to attract Chinese investors in 1919 to make up the shortfall in the municipal finances, as only one third of the year's debentures were subscribed (which was attributed to the attractive investment possibilities available abroad).[17] Advertisements were taken out in the Chinese press,[18] and the Finance Committee appealed to Chinese bankers and others such as Song Hancheng (Sung Han-cheng) of the Bank of China and Wu Yiqing (Woo Yih-ching), Deputy Postal Commissioner, as well as personal Chinese friends of

[14] The same information appeared in *Benjamin & Potts' Shanghai Weekly Share Circular*, a supplement to the *Shanghai Mercury* sponsored by a local brokers firm.
[15] See, for example, *The NCH, Weekly Share Supplement*, 5 July 1919, unnumbered: 2nd page.
[16] SMC, *Report for 1919*, pp. 31c-32c. At least 14 of the investors of sums over Tls. 10,000 were Japanese, indicating the extent to which the council was closely linked to Japanese interests.
[17] *NCH*, 13 September 1919.
[18] See, for example, *Shenbao*, 1 July 1919.

committee members, on how best to advertise municipal loans to appeal to Chinese investors.[19]

The largest foreign investor that year was the Ewo Cotton Spinning and Weaving Company, owned by Jardine Matheson and Company,[20] while the largest Chinese investor is listed as the Shanghai Benevolent Industrial Institution,[21] both of which invested 100,000 taels. Thus British hongs and Chinese charitable concerns alike chose to entrust their wealth to the SMC. In 1920, the largest investment, an unprecedented 201,000 taels, came from the Inspector General of the Chinese Maritime Customs, among 469 foreign investors, while of 53 Chinese investors the largest, from the Tung Yih Cotton Mill, was a modest 13,000 taels.[22] The lion's share of investment in the council still came from the foreign community. This was emphasised by the council in 1927 when it published figures for the total investment in municipal debentures to that date: 3,000,000 taels had come from Chinese government concerns such as the Customs Service and the Post office, a further 2,600,000 taels had been invested by other Chinese, while the balance of 39,400,000 taels had been invested by foreign residents and institutions.[23] The council was seeking to illustrate that the wealth of the Settlement was not, as was being claimed by members of the Chinese community, built on Chinese investment, but rather was due to foreign investment.

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[19] SMA U1-1-59: Finance Committee, 26 June 1919.

[20] For more on Jardine's, see Geoffrey Jones, *Merchants to Multinationals: British Trading Companies in the Nineteenth and Twentieth Centuries* (Oxford: Oxford University Press, 2000), pp. 32-3 and *passim*.

[21] The Shanghai Benevolent Industrial Institution was one of the largest Chinese free schools in Shanghai. It was a joint Sino-foreign concern, with M. Thomas Zhou, a Chinese educated at the University of Glasgow, as its President and Arthur de Carle Sowerby, a British naturalist and pillar of the Shanghailander community, as its Chairman. On Sowerby, see R. R. Sowerby, *Sowerby of China: Arthur de Carle Sowerby* (Kendal: Titus Wilson and Son, 1956), pp. 38-41.

[22] SMC, *Report for 1920*, pp. 37c-38c. On the Customs and its links to British imperial interests, see Brunero, *Britain's Imperial Cornerstone in China*.

[23] *Municipal Gazette*, 15 July 1927, p. 237. To labour the point, the council pointed out that this meant more than 15 times more had been invested by foreigners than by Chinese, and even calculated a per capita average for the then residents of the Settlement: 1,313 taels per foreign resident compared to seven taels invested per Chinese resident.

In arguing this, the council was claiming for itself and its public works projects the role of creating the environment in which Shanghai flourished, and in such a reading of history there was no room for credit to the city's Chinese entrepreneurs.

In addition to the regular annual silver loans, in 1906, 1920 and 1930 sterling loans were floated in London to fund specific municipal liabilities in the British currency (in 1906 these were the Waterworks Company shares and the infrastructure for the new tramway system).[24] Such issues, along with references made to the terms being offered by 'home governments' – especially Britain, but also the governments of the United States, France,[25] and Russia – demonstrate the degree to which the imperial metropole influenced municipal fiscal policy. The Finance Committee expressed concern in 1916 that the prevailing exchange rate and availability of attractive rates of interest 'at home' would impact negatively the uptake of municipal loans.[26] Yet local factors could be just as significant. The Chinese government was used as an example for financial practices, such as in 1911 when the Finance Committee decided to adopt an instalment method of loan issues, staggered through the year, as practiced in Beijing.[27] In 1928, the collapse of a bubble in the rubber market drove investors to the security of municipal debentures, boosting the council's borrowing capacity.[28]

Municipal debentures competed with a limited number of bonds issued by the Chinese government and fixed interest stocks in such local companies as were listed in the *Weekly Share Supplement*, but the rates of interest offered by the council were always

[24] SMC, *Report for 1906*, p. 224.
[25] Note that the example of the French Government was significant for council policy-making, despite the independence of the French Concession from the International Settlement.
[26] On the advice of the Treasurer, however, the usual interest rate of six per cent was offered, with preferential discounts for investors of large sums of 100,000 taels. SMA U1-1-58: Finance Committee, 3 April 1916.
[27] SMA U1-1-57: Finance Committee, 9 February 1911.
[28] Thomas, *Western Capitalism*, p. 202.

among the lowest on the market as it was seen as a safe investment. For example, in 1926 municipal debentures were trading near par, while the Chinese Re-organisation Loan issues had to trade at just 60 per cent of their face value due to the low credit rating of the national government.[29] The SMC could not, however, match the low rates offered by the municipal governments of the formal empire such as Calcutta or Bombay, and much less those of England where interest rates of just three per cent attracted investors at the turn of the century.[30] The members of the Finance Committee debated the interest rate to set in order to achieve sufficient investment at as attractive rates as possible for the council, and also because they believed it sent a signal to the public about the security of municipal bonds. The changing interest rates offered over the period reflect both the changing financial security of the council and its response to the wider economic and lending climate.

Interest rates for municipal loans ranged from a low of five per cent in 1900 to a high of eight per cent in 1921 and 1922, with a median of six per cent. The rate was increased in 1921 and 1922 due to the failure to achieve a full uptake of the loans at seven per cent interest, as a result of the high global demand for, and therefore price of, silver. As noted above, the council had no need to borrow from 1929 to 1933 due to the highly profitable sale of the Electricity Department, which had demanded an ever higher proportion of borrowed revenues since its establishment in 1892. In 1934 the prevailing economic climate enabled the council to offer just five per cent interest due to the deflation

[29] *NCH*, 27 November 1926, referenced in Thomas, *Western Capitalism*, p. 63.
[30] Thomas, *Western Capitalism*, pp. 59, 62. The French *Conseil municipal* was able to offer loans at the same rates as those of the SMC, and thanks to their secure position, underwritten by the council, municipal utilities companies also offered the same rate.

in China which resulted from the American silver purchase programme.[31] This and subsequent loans offered in 1937 (also carrying five per cent interest) and 1940 (six per cent) were issued in the Chinese dollar rather than in silver, following the abolition of the tael in 1933 and the abandonment of the silver standard in China in 1935.[32]

The system of municipal borrowing was not without its critics: some worried that the SMC dominated the investment market to such an extent that local industrial and other enterprises would be left short of capital.[33] The council was rather of the opinion that local firms should invest in the municipal infrastructure which enabled their businesses to flourish. Other concerns echoed frequent accusations that council business was too hidden behind closed doors. Two strong proponents of this view were Messrs Holliday and Little (Cecil Holliday, Chairman of the council in 1906, and Edward Selby Little, who was also a member of council for three years, both British).[34] A special meeting of the Finance Committee was called in November 1916 for them to raise their concerns about a lack of planning and transparency in the issuing of municipal loans. The committee members defended the Treasurer against the barrage of figures recited by Holliday, conceding only after he departed that there could be slightly more lucidity in municipal financial reporting. The secretary recorded that 'as his [Holliday's] observations, owing to quickness and occasional lack of clearness, are not easily followed, the members, though aware that there is a gap in the reasoning, dispense with analysing it too closely or pressing it too

[31] See Milton Friedman, 'Franklin D. Roosevelt, Silver, and China', *Journal of Political Economy*, Vol. 100, No. 1 (February 1992), pp. 62-83.
[32] SMC, *Report for 1940*, p. 398. On the Chinese dollar's displacement of the silver tael and the departure from the silver standard, see Leavens, 'The Silver Clause', pp. 651, 655.
[33] *NCH*, 28 October 1910, referenced in Thomas, *Western Capitalism*, p. 60.
[34] Carroll Lunt, *The China Who's Who* (Shanghai: Kelly and Walsh, 1922), pp. 136, 164-5.

insistently'.[35] The tone, as with council business in general, implied that ratepayers should not try to interfere with council activities of which, in any case, they had little understanding. Nevertheless, in response to repeated criticisms of this kind, the trend in the 1920s was towards greater openness in council business, in finance as well as other areas. More details were published in the *Municipal Gazette*, the council's official weekly news outlet, and in SMC annual reports for the consumption of those who cared to read them.

The same Finance Committee meeting touched on tensions surrounding the personality of the Treasurer. According to an unusually frank account in the minutes, Holliday explained that he suggested the Treasurer be absent as he thought 'it might only lead to an argument such as might decline into a sort of altercation'.[36] Although the chairman, E. C. Pearce (Edward Charles Pearce, later Sir Edward, a British merchant and chairman of the council from 1913 until 1920), said the Treasurer should be present, the latter huffily withdrew, 'stating that he really is very busy'. The Treasurer, Edward Goodale, was the driving force within the Finance Department for two decades. Tensions existed between him and the Finance Committee over questions of pay and conditions and over aspects of his vision for the department. Yet while the Finance committee was initially hostile to Goodale's proposed innovations, it came to accept his ideas as he proved his competence in the role. He was behind the design of the new Finance Department, drawn up in response to a proposal made by W. V. Drummond at the 1908 annual ratepayers' meeting, although he had to reduce the scope of the newly-created role of Treasurer in

[35] SMA U1-1-58: Finance Committee, 17 November 1916.
[36] U1-1-58: Finance Committee, 17 November 1916.

response to concerns by the committee that he envisaged a role superior to that of other heads of departments.[37]

In September 1919 the council established a Municipal Investment Bank, on Goodale's suggestion. This allowed members of the public to deposit savings with the council at the beginning of each month, which were converted into debentures twice yearly.[38] It also offered debenture holders the option of reinvesting accrued interest on municipal loans in the bank. Two years later there were already 760 active depositors, putting a total of 1,729,766 taels at the council's disposal.[39] 81 per cent of new debenture holders were attracted to invest in municipal loans due to initial interest in the Investment Bank, and the bank continued to play an increasing role in the revenues of the council. With growing numbers of Shanghai residents and firms tying their capital to the council, confidence in its fiscal security was evidently high.

In addition to building projects – primarily roads – the council invested funds at its disposal locally in land, industrial undertakings and local utilities companies. The latter enabled it to exert considerable influence to ensure customers received water, gas, telephone lines, and (after its privatisation) electricity at favourable terms. The low cost of energy ensured by the municipal ownership of the Electricity Department and then influence over the Power Company helped fuel the industrial expansion of the city.[40] The council also invested in local land investment companies, banks and such establishments as the country and race clubs, giving these institutions the municipal seal of approval and

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[37] U1-1-58: Finance Committee, 20 September 1909.
[38] SMC, *Report for 1921*, p. 34c; *Municipal Gazette*, Vol. XII, No. 650, 6 September 1919, p. 303; Supplement No. 692, 15 May 1920.
[39] SMC, *Report for 1921*, p. 35c.
[40] For the impact of the council's influence over the Waterworks and other utilities companies, see Chapter Four.

making a sound investment on behalf of Municipal Investment Bank customers and ratepayers. It held silver securities issued by the French *Conseil municipal*, as the latter held SMC debentures in return, tying the fortunes of the two municipalities together. Furthermore, the council bought into the war loans of the British, French, Russian and American governments during the First World War, to advertise its credentials as standing with the Allies, even as the International Settlement remained neutral. In this way the assets of the council are as indicative of its financial position as its income. It was an eminently confident municipal body, financially secure for the majority of its existence, until the years of disruption from the 1930s.

ii) Taxation

The greatest source of revenue for the council was usually the General Municipal Rate (GMR). This was calculated on the value of houses occupied within the Settlement, as assessed by periodic investigations by professional surveyors (assessment of land values for the land tax was conducted in the same way). Appeals were heard by the Finance Committee, and had to be lodged by a certain date, as was the practice in the assessment for municipal rates in England.[41] Many appeals were upheld, from both foreign and Chinese applicants,[42] suggesting a degree of flexibility on the part of the council. In some cases appeals sought higher rather than lower assessments, demonstrating the influence the

[41] SMA U1-1-56: Finance Committee, 20 December 1907.
[42] See, for example, SMA U1-1-58: Finance Committee, 8 February 1917.

council's decision had on land values as well as the extent to which property speculators in Shanghai were willing to pay more in tax in order to maximise their investments.[43]

The rates charged were controlled by Article IX of the Land Regulations, which specified that taxes should not exceed one twentieth of one per cent of the gross value of land or one per cent of the annual rent of a house.[44] In fact, land tax was kept well below this one per cent maximum, rising very gradually over the years from 0.5 per cent in 1900 to 0.8 per cent from October 1939.[45] Meanwhile the GMR was 10 per cent in 1900, and reached 18 per cent by 1939. The low rates made the Settlement something of a tax haven, free from both Chinese taxation and even the low levels of taxation (compared to the imperial metropole) which were found in formal colonies.[46] Indeed the Secretary General asserted of the municipal taxes in 1939 'Shanghai is one of the lowest rated cities in the world.'[47]

In addition to the GMR, a Special Rate was charged from 1907 on properties on municipal roads outside the Settlement. The council provided services to these residents and in return demanded a reduced contribution, initially half the GMR but, from 1920, pegged at just two percentage points lower than the full rate. In this way, the council extended its influence well beyond the limits of the Settlement itself. The practice was

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[43] Appeals seeking higher valuations were not upheld, the Finance Committee declaring that the assessors' view was fair. SMA U1-1-59: Finance Committee, 23 November 1920.
[44] Feetham, *Report*, Vol. I, p. 74.
[45] SMC, *Report for 1939*, p. 241. From 1940 rates shot up and increasing levels of surcharge were added to all forms of taxation in response to rampant inflation. See SMC, *Report for 1940*, pp. 255, 345.
[46] British civil servants in mid-nineteenth century India believed low taxation was key to successful government, and although tax levels rose in the last quarter of the nineteenth century, efforts continued to be made to keep taxation to a minimum (B. R. Tomlinson, *The New Cambridge History of India, Vol. III: The Economy of Modern India, 1860-1970* (Cambridge: Cambridge University Press, 1993), pp. 149-52. Most colonies had imposed an income tax by the early twentieth century, although Hong Kong was an exception. Michael Littlewood, *Taxation Without Representation: The History of Hong Kong's Troublingly Successful Tax System* (Hong Kong: Hong Kong University Press, 2010), p. 25.
[47] TNA T160/1142: Statement to Ambassador by Phillips, enclosed in Keswick to Ambassador, 19 September 1939.

based not on agreement with the Chinese authorities, but on provisions made in the Waterworks and Telephone Agreements between the council and the utilities providers.[48] Like so many of the council's powers, the basis was flimsy but long term precedent meant the SMC viewed it as an entitlement. Indeed, members anticipated that at some point these areas would be brought formally into an expanded International Settlement. There were Chinese public utilities providers, such as the Zhabei Water Company, but the SMC's support for the Shanghai Waterworks Company, including ensuring its monopoly within the Settlement, helped make alternative providers uncompetitive in the external roads areas.[49] Utilities therefore furthered the council's expansionist aims. Indeed, Xing Jianrong of the Shanghai Municipal Archives describes utilities as the 'sharpest weapon' (利器) in the SMC's arsenal.[50]

The residents of these outside roads protested little at paying the special rate for many years, accepting the quid pro quo of rates for services, although it was not collected with as much success as the GMR. The Chinese authorities first raised objections to the policing of external roads in 1907,[51] but serious problems only emerged for the SMC in the late 1920s as the strengthening Chinese authorities sought to reclaim Chinese autonomy in Shanghai.

While attempting to collect taxes outside the Settlement limits, the council opposed the collection of Chinese taxes within its boundaries. It was the Settlement's extraterritorial status that enabled its residents to avoid paying Chinese taxes, although this had not always

[48] SMA U1-1-59: Finance Committee, 19 March 1920.
[49] Xing Jianrong, '*Shui dian mei: jindai Shanghai gongyong shiye yanjiang ji huayang butong xintai*' ('Water, Electricity, Gas: The Different Mentalities of Chinese and Westerners Regarding Public Utilities in Modern Shanghai'), *Zhongguo jindaishi* (April 1994), p. 100.
[50] Xing Jianrong, '*Shui dian mei*', p. 101.
[51] Kotenev, 'Extra-Settlement Roads', p. 35.

been the case. The original Land Regulations of 1845 assumed that the very few Chinese residents of the Settlement would remain under Chinese jurisdiction, and even when their numbers swelled with the influx of refugees from the Taiping Rebellion, the revised Regulations of 1854 in no way exempted them from Chinese jurisdiction. Yet many of these new arrivals were wealthy entrepreneurs who enriched the Settlement, so it was in the council's interests to ensure their continued investment in the area. Even so, in 1862 the SMC initially offered no objection to assisting the Daotai in collecting a local tax on the transit of goods collected for defence that came to be known as *likin* (釐金 *lijin*, also known as *lekin*).[52] The British Consul-General, W. H. Medhurst, sought approval from the Minister in Beijing as there was no precedent for such taxation, and Sir Frederick Maze confirmed that "'The Tao-tai is entitled to levy taxes as he pleases.'"[53] Yet Medhurst was uneasy about Chinese tax collectors operating within the Settlement, and the council came to share his view, going against the wishes of Maze (which had been reinforced by the British Secretary of State for Foreign Affairs) and arresting Chinese tax collectors, bringing them before the consuls for fining or imprisonment. A compromise was reached whereby the council would collect a higher tax from Chinese residents and pay the balance to the Daotai, and in 1864 the tax ceased with the capture of Nanjing by the Imperial Army which brought the Taiping Rebellion to a close. Thus the principle that Chinese tax collectors could not operate within the Settlement was established, though without any solid legal basis, and the council continued to prosecute Chinese tax collectors, with varying success. It argued that Chinese residents were subject to imperial taxation but not local taxation,

[52] For more, see Edwin George Beal, *The Origin of Likin, 1853-1864* (Cambridge, Mass.: Harvard University Press, 1958).
[53] Kotenev, 'Chinese Taxation', part II, quoting Sir Frederick Bruce to W. H. Medhurst, 5 November 1862.

under which they classed *likin*, but this view was rejected by the consular body. In 1904 a tax office was discovered within the Settlement that had been collecting *likin* from Chinese traders. The SMC took swift action, prosecuting the staff of the office in the Mixed Court.[54] The problem resurfaced in 1910 and at regular intervals until the Nationalist government abolished *likin* in 1927, by which time there were bigger issues of Chinese intervention in the Settlement with which to contend. The Shanghai Chamber of Commerce was more concerned about new proposed duties from the Nationalist government on imports, as the Guomindang set about modernising the country's system of taxation.[55] The council now had to come to terms with being powerless to influence legitimate Chinese taxation from the newly assertive government.

Separate tallies were kept of the income in rates paid by Chinese and 'foreign' residents, so it is possible to assess the degree to which municipal activities depended on the contributions of each group, as shown in Figure 5. The Overseer of Taxes acknowledged in 1912 that the influx of Chinese, 'notably of the better class', seeking security following the 1911 Revolution had had a significant increase in GMR receipts, contributing to a 5.6 per cent rise in ordinary income over the previous year.[56] The Chinese population grew at a faster rate than the foreign population throughout the period addressed by this thesis, yet the Chinese contribution to tax revenues gradually decreased proportionately in the 1920s and 1930s, as shown in Figure 5. One factor was the May Thirtieth Incident in 1925 and the consequent surge in anti-foreign and specifically anti-

[54] Kotenev, 'Chinese Taxation', pp. 33-36.
[55] *Shanghai Mercury*, 13 August 1927, p. 6.
[56] SMC, *Report for 1912*, p. 7c.

SMC sentiment in the Chinese population, which made rates harder to collect from Chinese ratepayers.[57]

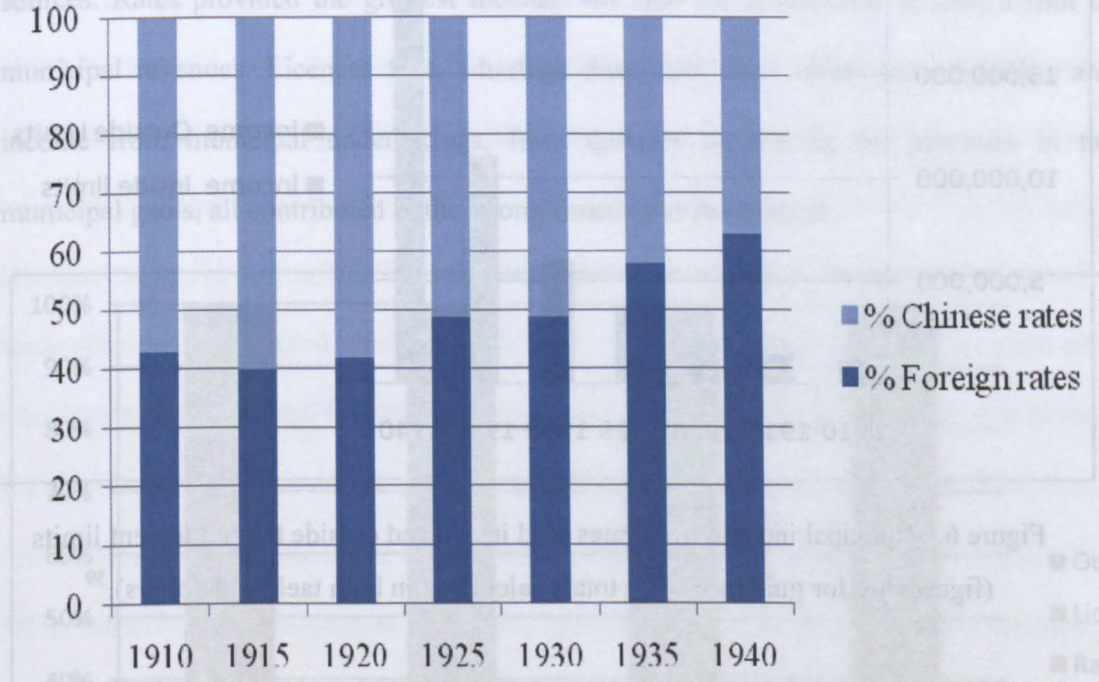

Figure 5. Percentage of SMC rates paid by Chinese and foreign ratepayers.[58]

Similarly, the comparative contribution made by residents of the extra-Settlement roads is shown in Figure 6, and it is clear that the income from outside the Settlement limits, though highly contentious at times (as seen below), was insignificant in comparison with the revenues taken from the General Municipal Rate.

[57] On the May Thirtieth Incident and Movement, see Clifford, *Spoilt Children*, chapters 6-9 and Rigby, *The May 30 Movement*.
[58] SMC, *Reports for the Years 1910-1940*.

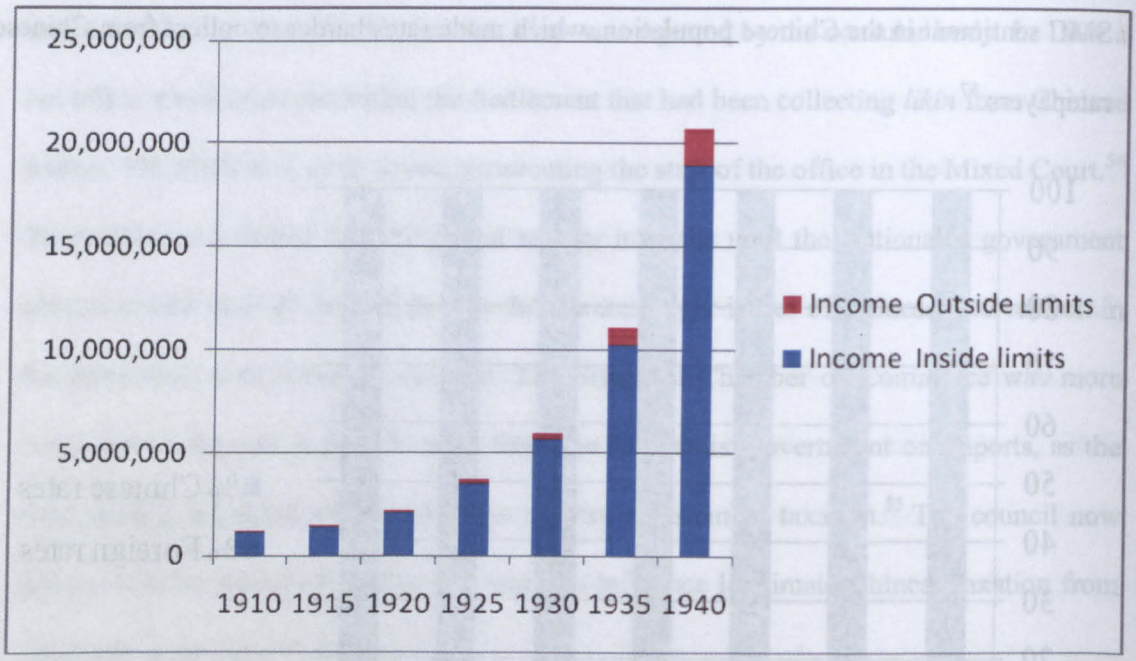

Figure 6. Municipal income from rates paid inside and outside the Settlement limits (figures are for guidance only: totals calculated in both taels and dollars).[59]

It was estimated at the beginning of 1900 that ordinary income for the year would reach 995,730 taels, exceeding that for 1899 by almost 80,000 taels due to the anticipated rates from the newly expanded area of the Settlement and to the re-assessment of land. Of the total income for 1900, 216,640 taels were anticipated from Land Tax, an increase of more than 50 per cent on the previous year.[60] This illustrates the symbiotic relationship between the council's need for revenues and its expansionist stance, investigated in the following chapter. However, almost half of the increased revenue from land tax was due to the re-assessment of the value of land within the previous limits of the Settlement and to the registration of new lots by subdividing existing lots, a lucrative exercise for the SMC. Land

[59] SMC, *Reports for the Years* 1910-1940.
[60] SMC, *Report for 1899*, p. 368.

tax was an important source of income for the municipal council. Figure 7 shows the percentage of ordinary municipal income from land tax, rates, license fees,[61] and other sources. Rates provided the greatest income, but land tax contributed at least a fifth of municipal revenues. Licences fees, wharfage dues, rent from municipal properties, and income from municipal undertakings, from quarries to printing by prisoners in the municipal gaols, all contributed to the strong finances of the council.

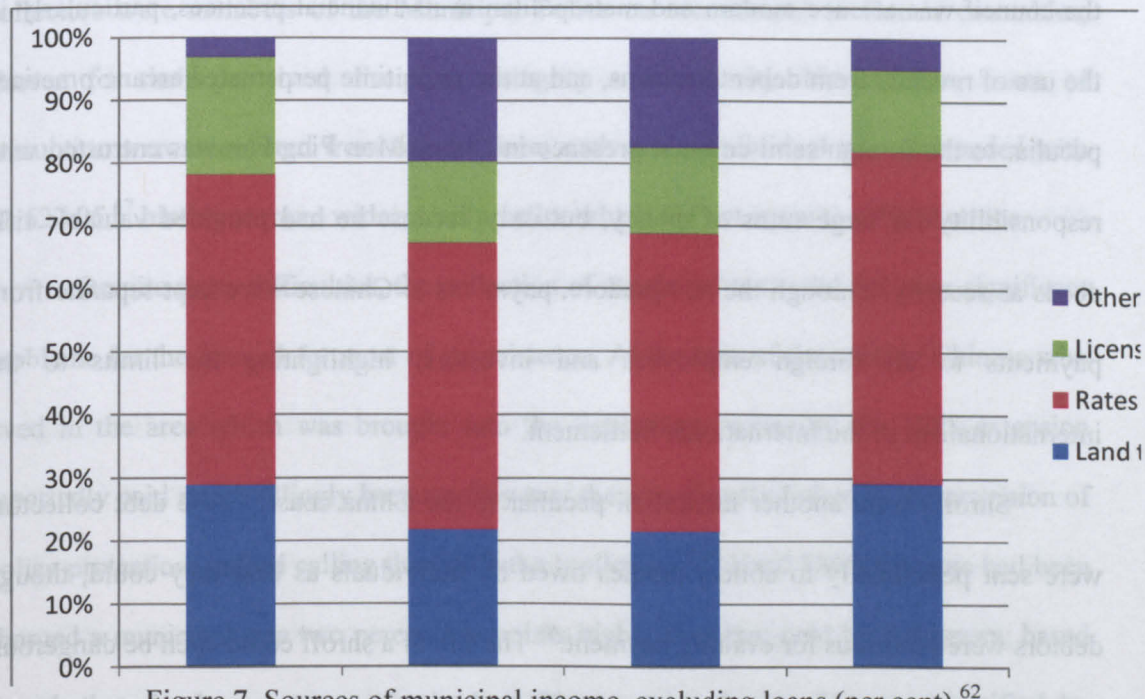

Figure 7. Sources of municipal income, excluding loans (per cent).[62]

As was common practice for foreign organisations in Shanghai, the council had a compradore through whom almost all municipal revenues passed into its accounts, and who oversaw and guaranteed the shroffs who collected monies owed to the council. He was also

[61] Licence fees were used by the council to attempt to regulate certain industries, from prostitution (discussed in Chapter Four) to the rickshaw industry. Tim Wright has provided a thorough investigation of the circumstances of the council's failed efforts to reform the rickshaw industry. Tim Wright, 'Shanghai Imperialists versus Rickshaw Racketeers: The Defeat of the 1934 Rickshaw Reforms', *Modern China*, Vol. 17, No. 1 (January 1991), pp. 76-111.

[62] SMC, *Reports for the Years 1910, 1920, 1930, 1940.*

responsible for paying the salaries and wages of the Chinese municipal staff, for paying interest owed to Chinese investors in municipal debentures, and for moving money between different municipal departments. In 1936 the salary of the then compradore, Mon Ping Fan, was increased to $1,750 per month in recognition of the fact that he no longer received the level of commission he had enjoyed prior to the abolition of the tael and the stabilisation of the Chinese dollar. The continuance of the post of municipal compradore demonstrates how the council was at once modern and metropolitan in its financial practices, particularly in the use of revenue from debenture loans, and at the same time perpetuated arcane practices peculiar to the foreign semi-colonial presence in China. Mon Ping Fan was entrusted with responsibility for large sums of money, but only because he had provided valuable title deeds as security. Through the compradore, payments to Chinese were kept separate from payments to all foreign employees and investors, highlighting the limits to the internationalism of the International Settlement.

Shroffs were another institution peculiar to the China coast. These debt collectors were sent periodically to collect monies owed by individuals as best they could, though debtors were notorious for evading payment.[63] The life of a shroff could even be dangerous, as for the compradore's office shroff who was robbed of municipal funds to the value of $848.56 by armed robbers in 1927.[64] Alongside the council's shroffs were the rates coolies, (renamed Assistant Shroffs in 1925 when the council finally realised that the term 'coolie'

[63] The term 'shroff' referred to an indigenous banker in India (Rajat Kanta Ray, 'Asian Capital in the Age of European Domination: The Rise of the Bazaar, 1800-1914', *Modern Asian Studies*, Vol. 29, No. 3 (July 1995), p. 494), but on the China coast it referred simply to Chinese go-betweens, mainly involved in the collection of debt.

[64] U1-1-61: Finance Committee, 18 March 1927.

was far from politically correct)[65] who were responsible for collecting rates and fees from Chinese. This was, unsurprisingly, a thankless task, though it provided lucrative opportunities for personal gain. The SMC punished such cases that came to its attention severely in an effort to cut 'squeeze', a matter of pride for the council which considered itself an example of incorruptibility, in stark contrast to the surrounding culture of endemic corruption as China was perceived by many self-satisfied foreign observers.[66] Many tax collectors were members of the Municipal Police on secondment or former constables, chosen for their perceived discipline, integrity and authority. Nevertheless, cases of corruption were uncovered from time to time, such as the individual who absconded with $1,627.05,[67] hinting at more widespread practice which did not come to official notice.

Despite these difficulties, the collection of municipal taxes did not pose significant problems for the council for most of its existence. At the turn of the century Chinese who lived in the area which was brought into the Settlement proper by the 1898 extension reportedly paid rates willingly because they saw them as directly linked to the provision of police protection, indeed calling the GMR the 'police tax'.[68] Until 1898, Chinese had been charged a municipal rate two percentage points higher than that paid by foreigners, based on whether the house was a 'foreign' or Chinese style house. This was justified by reference to the fact that Chinese who owned land within the Settlement which was not registered with a consulate were not charged land tax, on the basis that they were continuing their land use in the same way as they or their forebears had done prior to the establishment of the Settlement. In 1898 foreign ratepayers consented to pay the same rate

[65] U1-1-61: Finance Committee, 14 October 1925.
[66] See, for example, *NCH*, Vol. 88, 5 September 1908, p. 585.
[67] U1-1-61: Finance Committee, 1 December 1927.
[68] Feetham, *Report*, Vol. I, p. 132.

as their Chinese counterparts for the sake of equity, a move which the then Chairman of the council, F. Anderson, declared to have been 'highly appreciated by the native community' and to have 'increased their confidence in and respect for our local government.'[69]

Anderson used this indication of strong and improving relations with Chinese ratepayers in support of his plea for foreign ratepayers' approval for the use of a small fraction of municipal funds for Chinese education, as was provided for the education of foreign children at the public school. Elite members of the Chinese community had approached the council seeking funds for this purpose, and were successful as the ratepayers, despite an opposing resolution, passed the motion. Education re-emerged in the 1920s as a key demand from Chinese seeking greater equality in the use of municipal funds, as described below. Another factor which angered Chinese elite ratepayers was their exclusion from the growing number of parks and gardens acquired and managed by the SMC, starting with the public gardens, but with the addition of the Hongkew (in 1901) and Jessfield (in 1920) Parks.[70] The injustice of spending an increasing proportion of municipal revenues, to which Chinese contributed on an equal basis as foreigners, on facilities from which Chinese were excluded was not lost on those whose social standing gave them a sense of entitlement.

Tax rises and protests

Increases in taxation were naturally unpopular and residents of the Settlement demanded reductions on occasion, as in 1913 when the Treasurer explained that the GMR was raised

[69] Speech given by Anderson at the annual meeting of ratepayers in 1900, quoted in Feetham, *Report*, Vol. I, p. 136.
[70] This factor is given significant weight in Feetham's analysis of the political situation in the settlement. Feetham, *Report*, Vol. I, pp. 142-46.

initially from 10 to 12 per cent in 1908 due to the surplus in the ordinary municipal finances falling significantly below the agreed minimum of 200,000 taels. Until a substantial surplus had been maintained he could not sanction a reduction in rates.[71] The first organised refusal to pay rates, however, did not come until 1919, when the council put up the general municipal and special rates by two per cent. The Finance Committee felt there was no other option as the budget for the year showed a deficit due to an increased projected expenditure for all departments on previous years, partly because of the expected return of foreign staff from war service: as for all organisations, personnel was one of the council's greatest expenses.[72] The SMC believed that explaining the reasons for the increase in the Chinese press would overcome the initial opposition, but quickly discovered that the protesters had wider aims in mind.[73] For the first time, taxation was linked with calls for representation on the council.[74] Simmering dissatisfaction with the status quo was given an outlet when Chinese residents were asked to increase their contributions to a municipal authority which disadvantaged them in its allocation of resources.

It is no coincidence that this coordinated action came in the broader context of the May Fourth Movement in the wake of protests over China's treatment at the Paris Peace Conference.[75] Indeed, unofficial representatives of the Chinese Chamber of Commerce who called upon the chairman of the SMC, Edward Pearce, to seek a resolution to the problem,

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[71] SMA U1-1-57: Finance Committee, 4 December 1913.
[72] SMA U1-1-59: Finance Committee, 28 February 1919.
[73] See, for example, *Shenbao*, 14 August 1919, p. 17. This explains the procedure of approval of the increase at the ratepayers' meeting and the rationale behind the decision. A reminder about the increase and an explanation of how it was approved at the ratepayers' meeting was also published the day it came into effect: *Shenbao*, 1 July 1919, p. 4
[74] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XX, 16 July 1919, p. 121.
[75] For more on the May Fourth Movement and in Beijing and Shanghai, see Tiina Helena Airaksinen, *Love Your Country on Nanjing Road: the British and the May Fourth Movement in Shanghai* (Helsinki: Renvall Institute, 2005).

had already been approached by Shanghai's new street associations of shopkeepers. These were formed in Shanghai as a direct result of the May Fourth protests, when shops closed in solidarity with the student's manifestations, and it is significant that these new political bodies were involved in the opposition to the rate increase. The council negotiated, through its secretary, with the Chinese Chamber of Commerce, which agreed, apparently quite readily, to encourage the payment of the increased rate. They asked simply that the special levy, imposed at the same time as the rate increase to provide back-dated pay for municipal employees while they were away on war service, be collected quarterly to spread the financial burden on ratepayers. Meetings with the shopkeepers' associations were less successful, however, as they insisted that no increase should be paid, and the council decided it had no option but to enforce the collection of the rate and levy. Collectors met fierce resistance, however, especially in the Nanking and Honan Road areas.[76]

The acting chairman of the council, Edward White, was in favour of adopting the proposal of Chu Lai Fong (who approached him at the country club on a Tuesday evening in August) that he should write to Chu personally stating that the council would not raise rates in future without consulting a committee of six representative Chinese. In return, Chu would guarantee the payment of rates within a week. The Senior Consul (the British Consul-General at the time) agreed that this presented a swift resolution, but the Secretary opposed it, arguing that it was unlikely that this concession would satisfy demands for Chinese representation, that Chu had little influence over the Chinese community so his guarantee was worthless, and, most strongly, that if the council indicated weakness by conceding this demand, it would face ever greater demands from Chinese in the future. It

[76] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XX, 13 August 1919, p. 136.

was the secretary's voice that was heeded: the Chinese Chamber of Commerce was informed that the rates had to be paid, and while the council was 'sympathetic' to calls for a way of Chinese views being represented, it must defer action until the ratepayers' meeting of 1920. By September the majority of the rates had been collected and the protest over the increase had died away for the time being, but it re-emerged and was eventually successful, as described in the previous chapter. It is significant that the issue of a rise in taxation served as the trigger which produced calls for political change.

The next major protest the council faced over rates was focused on the special rate paid by residents on extra-Settlement roads. This, too, was a political issue, and here the council was on far shakier ground as it was acting beyond its own jurisdiction, a weakness the strengthening Chinese authorities sought to exploit. In 1926 they encouraged Chinese residents on outside roads to refuse to pay the special rate. While in theory the council could have arranged to cut the supply of water to those houses which were not making their contribution, in practice it was not possible to isolate the supply for houses in large blocks. The Commissioner General, Alan Hilton-Johnson, advised the council that only 412 houses were failing to pay the rate, of a total 2,300 houses on external roads which were obliged to pay it, and of those, perhaps 200 would not have paid anyway.[77] With just one tenth of households not paying due to the actions of the Chinese city authorities, the council agreed to take no action, especially in view of the Settlement extension that was still anticipated at this late juncture (more on which in the next chapter).

[77] Zhang Qian (ed.), *Minutes of the SMC* Vol. XXIII, 21 June 1926, pp. 281-2.

The numbers refusing to pay increased, however, and the council was forced to write off increasing amounts of revenue from this source.[78] With the establishment of the City Government of Greater Shanghai, the Commissioner of Foreign Affairs made repeated and strong protests against the collection of all municipal taxation beyond Settlement limits.[79] The council responded by making it clear that residents were only charged the special rate on signing a written undertaking that they chose to do so in return for police protection, electric light and water supplies. It decided that services should be suspended after 15 days' notice to the non-paying resident, but deferred implementing this plan until the input of the new Chinese council members was received in 1928.[80] The council continued to defer action and the Treasurer learnt to expect little income from these areas. It was not only Chinese who were refusing to pay by this point: in 1928 Japanese residents too were refusing to pay the special rate on the grounds that their houses were outside the barbed wire defences erected during the state of emergency in 1927, and in 1934 issue was taken with a Spanish resident of the northern external roads area, Mr E. A. de Garcia, for refusal to pay the special rate.[81] The council was losing the ability to demand taxation in return for services when it had no other justification for doing so. This is indicative of its generally weakening position in the 1930s in the face of Chinese nationalism and Japanese imperialism.

The most significant refusal to pay the General Municipal Rate within the Settlement itself came in 1927, a year of tension and conflict as the Guomindang purged

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[78] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXIII, 9 February 1927, pp. 31-2.
[79] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXIII, 25 May 1927, p. 97; U1-1-61: Finance Committee, 10 November 1927.
[80] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXIII, 8 June 1927, p. 450; Vol. XXIV, 15 February 1928, p. 20.
[81] U1-1-62: Finance Committee, 27 November 1934.

members of the Chinese Communist Party, formerly its ally, from its ranks on the bloody night of 12 April in Shanghai and subsequently beyond.[82] The Nationalists established themselves as the government of a re-centralised China, from the nearby capital of Nanjing, and set about asserting greater influence throughout China and particularly in the foreign-dominated city of Shanghai. The local Guomindang party actively supported the protest of the Shanghainese against another increase in the rates, despite its assurances to the council that it opposed their demands. These protests took on a much stronger character than those of 1919. This time local associations, including the Chinese Ratepayers' Association and the street unions, coordinated plans to refuse to pay any rates when the increase was demanded, rather than refusing only the amount represented by the increase as before. The 21 members of the CRA committee now took an oath 'to act in accordance with the directions of the Kuomintang Party', and a mass meeting in support of the protest concluded with shouts of 'Support the Nationalist Government! Long live the Kuomintang Party!', showing how closely the party was involved in opposition to the council.[83] The Mayor of the city, Huang Fu, praised the protesters, particularly shops which closed rather than pay the rate, for being willing to sacrifice their incomes for the greater good.[84] The CRA indicated that any efforts to employ force in the collection of rates would result in a general strike, the power of which had already been demonstrated during the May Thirtieth Movement in 1925.

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[82] For more on the purge see C. Martin Wilbur, *The Nationalist Revolution in China, 1923-1928* (Cambridge: Cambridge University Press, 1984), pp. 99-117. For its consequences for the Communist Party, see Patricia Stranahan, *Underground: The Shanghai Communist Party and the Politics of Survival, 1927-1937* (Lanham, Maryland: Rowman and Littlefield, 1998), p. 17 and *passim*.
[83] *Shanghai Mercury*, 2 July 1927, p. 6; 4 July 1927, p. 5.
[84] *Shanghai Mercury*, 25 July 1927, p. 6.

Rather than the residents of just a few streets taking part in the protest as in 1919, in 1927 the refusal to pay rates was almost universal. Only forty Chinese households had paid the rates a week into July when the payment was due, compared to the 4,000 that would normally have been collected by that point.[85] The council took comfort from the few Chinese who paid in person at the Revenues Office, refusing to take a receipt for fear of discovery by the street unions, seeing them as evidence that the majority of residents were not hostile to the council but rather intimidated by the street unions. Given the widespread dissatisfaction that had been expressed just two years previously and the attendance of 1,200 supporters of the protest at a mass meeting in the main hall of the Chamber of Commerce on 3 July,[86] however, it is likely that this was an expression of optimistic wishful thinking on the part of the council, similar to that of the British in India around the same period as described by Andrew Muldoon.[87] This belief did mean that the council refrained from using coercive measures to enforce collection of rates for fear of turning residents against it, despite urging from the Japanese member, Kimiji Fukushima, that the council should use every means at its disposal to enforce collection so as not to show any sign of weakness. The council was ready to use force in case of violent protest, as shown by the decision to postpone the planned disbandment of the Russian Unit,[88] but would not this time be the first to strike. It had learnt from its experiences in 1925.

The CRA, too, had learnt from the events of that year about the power of mass action and attracting the glare of international opinion to Shanghai. It took out

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[85] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXIII, 6 July 1927, pp. 464-6.
[86] *Shanghai Mercury*, 4 July 1927, p. 5.
[87] Andrew Muldoon, *Empire, Politics, and the Creation of the 1935 India Act: The Last Act of the Raj* (Farnham: Ashgate, 2009).
[88] Zhang Qian (ed.), *Minutes of the SMC*, 28 June 1927, pp. 457-9.

advertisements in the press, urging residents not to pay their rates and providing the details of lawyers who offered legal advice free of charge should the council take coercive measures to make them pay.[89] The Mayor reminded members of the CRA that 'The more aggressive the attitude adopted by the Shanghai Municipal Council in this matter, the easier it will be to facilitate the rendition of the Settlement in the future, especially when the whole affair will have been published to the world.'[90] The council was therefore wise to refrain from the use of force. It, too, knew the value of appealing to international opinion, accepting an offer from the news agency Reuters to cable a memorandum explaining the necessity of the increase to America, Europe, Hong Kong, Beijing and Tianjin at a cost of $200.[91] It also established a committee in England 'for the purpose of counter-acting anti-Council propaganda', made up of former members of council who returned to Britain. The council thus showed both its global linkages as well as the primary importance of London in its worldview.

The terms on which the council engaged in discussions with senior members of the Chinese community to find a solution to the protest had changed since 1919. This was particularly apparent at a specially convened meeting of the Union Club where leading Chinese made the underlying causes of the protest clear to the council's chairman, Stirling Fessenden. These were dissatisfaction over the presence of the Defence Force and the erection of barricades, and the hope of obtaining representation for Chinese on the council in at least equal numbers as foreigners.[92] The council remained steadfast in its refusal to negotiate on these terms, however, and in insisting on the need for the increased rate to be

[89] *Shenbao*, 5 and 7 July 1927.
[90] *Shanghai Mercury*, 25 July 1927, p. 6, quoting the *China Times*.
[91] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXIII, 16 July 1927, p. 471.
[92] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXIII, 6 July 1927, pp. 467-9.

paid. It took prominent rate-paying concerns, such as the Sincere and Wing On department stores and the Chekiang Industrial Bank, to court to make an example of them and threatened to cut the electricity supply to Chinese newspapers unless they paid the rates, to force them into an embarrassing position if they still wanted to advocate non-payment of the rates but paid them themselves in order to continue publishing.[93] It was negotiations with members of the Chinese business elite, however, which brought the protest to a close.

As in 1919, the council was able to end the protest with no more than promises to look at the question of giving Chinese a greater say in municipal affairs. The council had sought to keep the two issues separate, mainly to avoid appearing to give in to Chinese pressure: as Robert Bickers has commented, the British seemed more concerned about saving face than anyone else in China.[94] Yu Qiaqing was the leading figure in negotiations with the council. He emphasised the financial hardship that the rate increase imposed on the poorest third of ratepayers, and asked that their shortfall be permitted to be made up by wealthier Shanghainese. Satisfied that the question of Chinese representation was being separated from the matter of payment of the rates, the council agreed to address this matter again after the protest was concluded. The Commercial Federation duly issued an announcement that the increase was for the deficit in the municipal budget and should be paid, subject to the council addressing the question of greater Chinese representation before the end of the year and undertaking to make no more increases without reference to the

[93] The *Shanghai Mercury* mocked the newspapers which paid the rates when presented with this press, calling the protest a 'teapot tempest'. *Shanghai Mercury*, 26 July 1927, p. 5.
[94] Robert Bickers, 'British Concessions and Chinese Cities, 1910s to 1930s', unpublished paper presented to the Chinese University of Hong Kong conference on Urban History and Republican China, September 2010, p. 17.

Chinese ratepayers. Following the dissemination of this announcement, the council's collectors were able to obtain payment and the protest was effectively over.[95]

The nature of the demands made and the confidence with which the Chinese Ratepayers' Association manoeuvred opposition to the rate increase in 1927 contrasts sharply with the more respectful terms and modest means employed in 1919. This reflected the altered political landscape in Shanghai and China more broadly, both following the May Thirtieth Incident of 1925, as analysed by Nicholas Clifford,[96] and the newly confident position of the local Guomindang. In 1919 the Chinese Chamber of Commerce had supported the council and sought to help persuade Chinese residents to pay their rates, but in 1927 the Chamber was one of the main backers of the protest, along with the Chinese Ratepayers' Association which had been established in the wake of the 1919 protest. Nonetheless, the council was still able to benefit from negotiating with members of the Chinese elite with more to gain from the continuation of the status quo in Shanghai, where the existence of the stable municipality had helped them to amass great wealth, with modifications to the council to give them – rather than the mass of Chinese ratepayers – a greater say in municipal affairs.

While the protest movements described and their results indicate clear changes in the political context in which the council had to operate, there is a greater lesson to be taken from the payment and non-payment of rates in the Settlement. It is significant that for most of its existence, the SMC was able to collect rates facing little opposition, and even when it raised the level of taxation, controversial in any society, protests were short-lived and overcome with only small concessions from the council. This suggests that, despite its

[95] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXIII, 29 August 1927, p. 499.
[96] Clifford, *Spoilt Children*, pp. 147-58.

constitutional weakness, the SMC enjoyed a surprising degree of legitimacy in the eyes of the rate-paying public. The clear link between municipal services and the payment of rates, as shown most clearly in the payment of the special rate beyond the Settlement limits, allowed a foreign-administered council to tax the Chinese population on what remained Chinese territory.

Spending versus tax reduction

The municipal council sought at all times to keep spending to a minimum. When heads of departments presented their budgets each year, the Treasurer invariably found ways of cutting their projected spending by removing any items which were considered less than essential. Figure 8 shows a breakdown of municipal expenditure on the main council departments. The Shanghai Municipal Police was the largest expense every year, followed closely by the Public Works Department, which bought land for municipal use and built and maintained roads and bridges, bunds and wharfs, and public buildings from hospitals and prisons to housing for nurses and the police. These two departments reflect the council's *raison d'être*: to provide an environment suitable for conducting business, which meant the provision of a basic infrastructure and the defence of life and property. The SMC developed from the Committee of Roads and Jetties of the original English Settlement, and the work of this committee was continued by the PWD. Yet from the days of the Taiping Rebellion, the council's driving concern was the protection of life and property, hence the largest portion of the budget being spent on policing and defence measures. Other departments were given low priority.

Expenditure on all areas of municipal activity increased over the period in question, but it is particularly notable that the proportion of municipal revenues that was spent on health and education grew. These had been considered non-essential, but as the council bowed to internal and external pressure, and took more notice of the interests of the Settlement's Chinese residents, health and education, and later industrial welfare, took on greater significance. Despite such increases, however, the council never lost sight of its intention to keep spending and thus taxation at a minimum, and the budget was never in deficit prior to the 1930s.

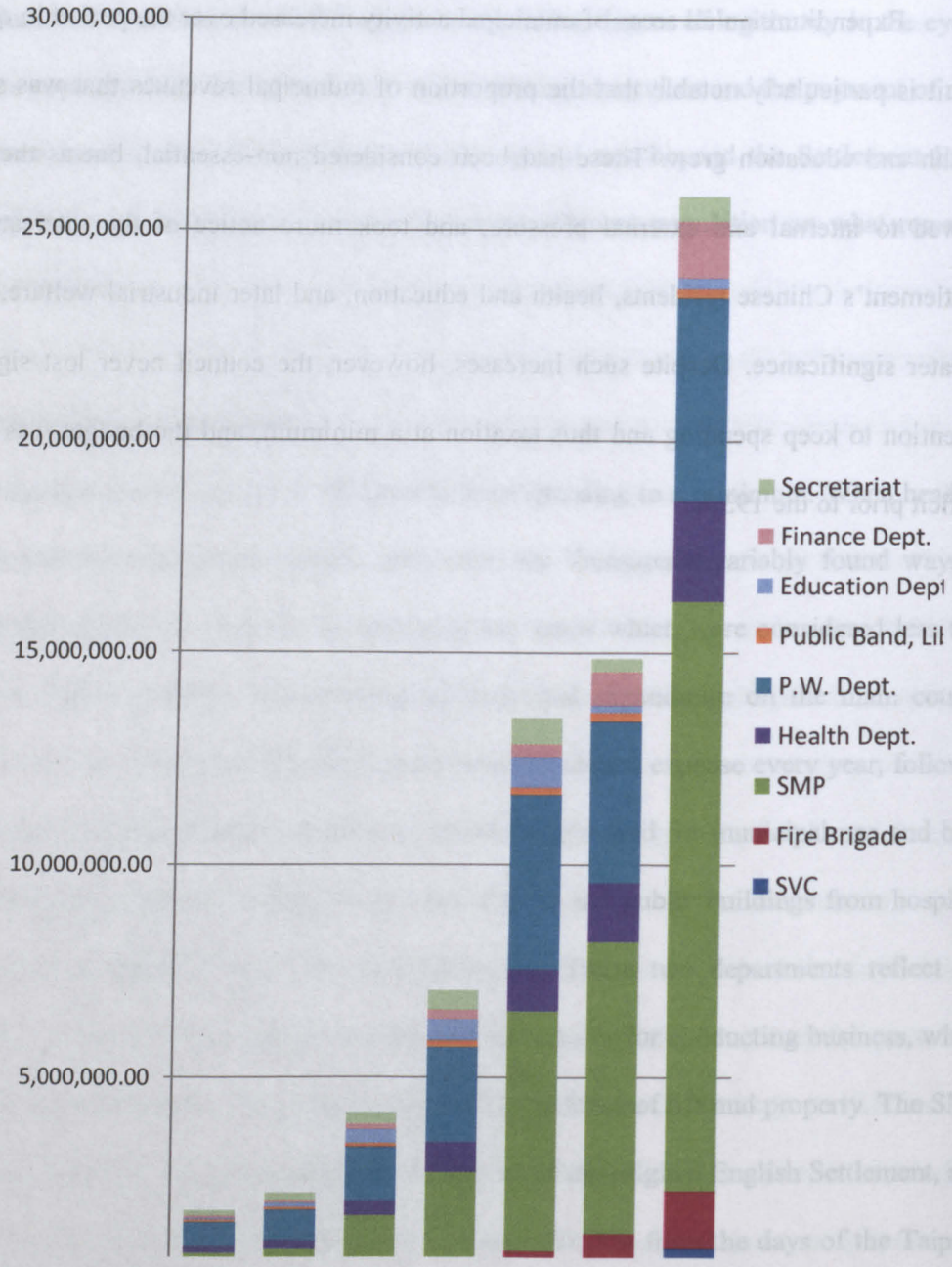

Figure 8: Municipal spending by department (taels).[97]

[97] SMC, *Reports for the Years 1910-1940*. Data for 1935 and 1940, following the abolition of the tael in 1933, is converted from Chinese dollars to a tael equivalent, using a rate of 0.72 dollars per tael, the mean of the exchange rates 1930-33. Arthur N. Young, *China's Nation-Building Effort, 1927-1937* (Stanford.: Stanford University Press, 1971), p. 474, using data from the Central Bank of China. Comparisons can therefore only be approximate. The education expenditure for these years does not include the special allocation of 2 per cent of Chinese GMR spent on Chinese education. .

The Treasurer had promised in 1913 that when the municipality could afford it, the rates would be reduced. After rises in the levels of taxation and the protests they produced, as seen, the rate was sure enough reduced in 1930 from sixteen to fourteen per cent, due to the large surplus resulting from the sale of the Electricity Department. This had been intended for use for capital projects in lieu of borrowing, but the council bowed to pressure from ratepayers for a reduction in their payments. It proved extremely difficult to raise taxes again: in view of a potential budget deficit, the Finance Committee agreed a raise was needed in December 1931, but due to the Sino-Japanese conflict in the following months the council decided against increasing 'the burdens on the community' in this way until the town had had time to recover.[98] The global depression damaged the municipal finances as the price of silver fell drastically, yet the local instability meant there was never a good time to restore the higher rate, and only in 1937 was it finally returned to 16 per cent: not in time to return the council to its former strong financial footing before the city was once again plunged into Sino-Japanese warfare.

Chinese opposition to higher rates, in the community and among the Chinese members of council, was a major reason for the delay. By 1934, the year after the last of the five annual instalments of payments from the sale of Electricity Department, which had compensated for the reduction in rates, the discussion centred on whether more could be spent on Chinese education without raising taxes. Chinese members of the Finance Committee such as Xu Xinliu argued for retrenchment in other areas to keep within current revenue limits. On the opposite side of the debate, E. F. Harris expressed a very unusual

[98] See the speech of then Chairman, Brigadier-General Macnaghten, to the annual meeting of ratepayers, as reported in *Municipal Gazette*, Vol. XXV, No. 1362, 14 April 1932, p. 170.

view for a municipality which is generally rightly regarded as a bastion of traditional low-tax conservatism, claiming that 'It is an accepted fact that a highly taxed city is more prosperous than one which is lightly taxed; for this reason he supports the proposal for an increase in taxation.' [99] Nevertheless, an increase in spending on education was recommended without the accompanying rise in taxation which the Treasurer cautioned was required to fund it. The Shanghai Municipal Council was no longer the liberal free-trade, low-government statelet it had long appeared.[100]

Increased municipal expenditure on Chinese education had been a proposal of the Federation of Street Unions, one of the council's most vocal opponents and not a body from which it was in the habit of taking suggestions. Justice Richard Feetham, whom the council invited to investigate how to improve relations between the council and the Chinese, endorsed the proposal, however, and it was one of the few aspects of his report which the SMC implemented.[101] From 1931 a section of the municipal income from Chinese rates was set aside for Chinese secondary education in the Settlement, both directly in council schools and indirectly through grants-in-aid to existing Chinese schools. In 1934, the Chinese councillors lobbied for the grant to Chinese schools to be increased, and at the same time the Japanese members made a similar claim for Japanese schools.[102] The chairman, A. D. Bell, responded that, if anything, the spending on education should be curtailed due to the current economic difficulties, and the vice-chairman added that as both Chinese and Japanese members had fought increases to the rates the previous year, they

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[99] SMA U1-1-62: Finance Committee, 4 January 1934.
[100] As a point of comparison, see Neil Englehart's recent discussion of the extent to which Burma can be considered to have been run on liberal principles. Neil A. Englehart, 'Liberal Leviathan or Imperial Outpost? J. S. Furnivall on Colonial Rule in Burma', *Modern Asian Studies*, Vol. 45, No. 4 (June 2011), pp. 759-90.
[101] Feetham, *Report*, Vol. II, p. 9.
[102] SMA, U1-1-62: Finance Committee minutes, 4 January 1934.

could not now demand higher expenditure. A compromise was nonetheless reached that increased the grant to both Chinese and Japanese schools, though by less than was demanded. Clashes with existing practice by educational authorities outside the Settlement had to be overcome, but this policy went a little way to assuage Chinese opposition to the council. Judicious municipal spending in this way was an important tool in improving the council's relationship with the Chinese community.

When the council's financial position worsened further and its usual sources of loans were exhausted it turned for help to the foreign powers, its financial independence from which had been a long-held source of pride. In 1939, the Secretary General, Godfrey Phillips, asked the British and American Senior Consuls to approach their respective home governments with a request for a loan of £1 million each, or half that sum if only that were possible. The American referred it to Washington, D.C., but warned that he saw 'no prospect whatsoever of any money being voted by Congress for this purpose.'[103] His British counterpart also referred the request to London, adding that if the British government could guarantee a bank loan to the council this would also address its current predicament. The presumed gilt-edged status of the council's bonds was now being put to the test. Phillips described the impossibility of increasing receipts from taxation as the Japanese now constituted a sufficiently large number of ratepayers to block any attempt to pass a resolution to raise the rates, which he said was now a greater problem than Chinese opposition to increased taxes. But the plea for a government loan was not met, neither by the American authorities who had little sympathy for the council's position, nor by the British government which had just declared war on Germany so had more pressing calls on

[103] TNA T160/1142: Sir Archibald Clark Kerr, Ambassador, to Foreign Office, 3 October 1939.

its budget. The diplomats did, however, negotiate a loan for the council from the Hongkong and Shanghai Bank, but not enough to prevent it from sliding deeper into debt. The SMC had lost its ability to fund itself from affordable loans and taxation, and at the moment of crisis discovered that it could not after all rely on assistance from the imperial metropole.

Conclusion

This chapter has shown how the Shanghai Municipal Council was able to collect revenues from a variety of sources, predominantly in the form of taxation and through floating loans, in order to fund its activities and retain its independence from any higher authority. It guarded its right to tax the population of the International Settlement jealously, protesting strongly at attempts by the Chinese authorities to collect taxes from which, by practice rather than by right, the residents of the Settlement were exempt. It was only in later years that the Settlement's majority Chinese population was able to exert any influence over rates of taxation or how taxes were spent, when Chinese councillors were finally able to contribute to the municipal decision-making process.

There was a surprising degree of acceptance of this inequality, taxation being linked in the minds of most residents not to representation but to the delivery of services, especially police protection and defence. It should be remembered that the majority of foreign residents also had no say in the setting of rates or the allocation of resources, most failing to qualify for a vote. The council had a degree of legitimacy to govern the Settlement in the eyes of most residents, despite its unrepresentative nature, as it fulfilled its primary function of providing infrastructure and defence to the Settlement. These priorities were reflected in its allocation of funds, though other areas grew in importance. From 1930,

moreover, members of the Chinese business elite were able to influence how municipal funds were spent in a way that benefited the mass of the population, notably through education.

The finances of the council reflect its strength through most of this period. It was able to float loans at affordable rates of interest, which were, in most years, oversubscribed. It could tax its residents and met only occasionally with major protest. The municipal finances also reflect the changing politics of the period. As Chinese nationalism and the strength of the Nationalist government grew in the late 1920s, the council was forced to take more account of the residents who provided the majority of its revenues. The council's cash-flow was also affected by external factors such as fluctuations in currency exchange rates, war in China and overseas, and the general weakness of the Chinese state. By 1939, the fragility of the council's position was reflected in its unprecedented insolvency. The SMC's financial practices were borrowed primarily from municipal governments in England, but were also influenced by local and global factors. Perhaps more importantly, financial matters could act as a catalyst for change, most notably when, in 1919, tax rises due to deficits in the municipal finances produced protest movements which resulted in political change in the Settlement.

As noted in the introduction to this chapter, all the activities of the council depended on its fiscal integrity. The next chapter examines one of the greatest drains on the municipal finances – the defence of the Settlement.

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Chapter Three: Expansion and Defence

'[The Shanghai Municipal Council] has not only the moral but also the unquestionable legal right to defend, by force if necessary, the political and territorial integrity of the Settlement against military or mob aggression on the part of any political or military party or faction.
The source of this legal right lies in the unique political status of Shanghai as a municipality, which has no exact counterpart in the whole world.'[1]

The Shanghai Municipal Council was originally formed at a time of external threat and resulting internal disorder. The Committee of Roads and Jetties was reconstituted as the SMC in 1854 after the Chinese part of the city was seized by rebels the previous year, causing the residents of the English and American Settlements to organise protection in the form of a police force and a volunteer defence corps under the auspices of the council.[2] Overseeing the defence of what would become the International Settlement was one of the council's primary functions, and the area it defended grew dramatically during the nineteenth century. From a small area established in 1843 where it was anticipated that British traders would settle on a temporary basis in order to conduct trade, it expanded in 1848, 1863 (when the English Settlement combined with its American neighbour to form the International Settlement), 1893, and 1899, to 5,583 acres: almost forty times its original size. The SMC was not satisfied with this territory, however, and continued for decades to seek further expansion of the Settlement limits. Meanwhile, it also quietly increased the area under its control by building municipal roads external to the Settlement and providing services such as policing to their residents in return for the payment of rates.

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[1] Extract from Chairman's speech to the Annual Meeting of Ratepayers, 14 April 1927, SMC, *Report for 1927*, p. 80.
[2] Bickers, 'Shanghailanders', pp. 165-6.

In addition to these expansionary efforts, the council ensured that the Settlement would be protected by two defence bodies, a quasi-military police force like those that defended Britain's colonies and a local volunteer militia, comparable in some ways to Britain's Volunteer Force.[3] The police acted to protect the Settlement's autonomy from Chinese authorities in every sphere from the collection of taxes to political and military activity, while the Volunteers and police alike were called upon to defend the Settlement militarily when it was threatened either from within, by protestors, or from without, by rebellions and civil warfare. At such times of external threat, the council erected barricades at the entrances to the Settlement in an attempt to protect its residents by physically walling out the rest of Shanghai and China. For the defence of the Settlement, the council could also call on foreign military forces, notably the British, through the relevant consuls-general and their diplomatic superiors, demonstrating Shanghai's position within the British imperial web.

This chapter presents the ways in which the SMC behaved like an aggressive and militarised state, despite its lack of formal authority in law, in trying to expand and protect its borders. It argues that conflict was inherent in the International Settlement's position, surrounded as it was by increasingly hostile Chinese administrations. Furthermore, it is clear that the council was a far more important actor on the local stage than has often been apparent from the existing literature on Shanghai in this period.[4] I begin with an overview

[3] See Hugh Cunningham, *The Volunteer Force: A Social and Political History, 1859-1908* (London: Croom Helm, 1975).

[4] Nicholas Clifford's *Spoilt Children of Empire* is one of the few works to treat the SMC as a significant actor, and his tight focus on the 1920s and preoccupation with the tense relationship of the American and British consuls and governments with the council lead him to present just one facet of its nature, as a bellicose collection of imperialists (accurate though this may be) fighting against London and Washington, D.C. Robert Bickers has also brought the SMC into his accounts of British colonialism in China, but few others have afforded it much importance in the history of the period.

of the nature of the Settlement's borders, which recur as a motif throughout the chapter, exploring how the council gained for the Settlement greater autonomy from Chinese jurisdiction than it had a right to claim and focusing on its opposition to Chinese policing and the collection of certain Chinese taxes within its borders. Next, the nature of the Shanghai Municipal Police and the Shanghai Volunteer Corps is discussed more broadly in relation to the defence of the Settlement. The chapter then turns to how the council itself succeeded in both policing and collecting taxation beyond the boundaries of the Settlement, and the ways in which this extended the area that was effectively under its authority. Finally, I focus on key flashpoints in the twentieth-century history of the Settlement: the Mixed Court Riots of 1905, the council's attempt to seize Zhabei in 1913, the defence of Shanghai in 1924 and 1927, the Sino-Japanese hostilities of 1932, and the ultimate Japanese takeover of the Settlement. These examples demonstrate the centrality of expansion and defence in the International Settlement, countering assumptions that it remained static during this period and illuminating the bellicose nature of the colonial presence in China as it was manifest in the Shanghai Municipal Council. It will become clear that the Settlement was not part of an informal empire existing solely for the conduct of free trade,[5] but a semi-colony run by a council that constantly sought to further entrench and expand its territory as an end in itself.

Defending administrative borders

Though the Settlement remained Chinese territory at all times, its boundaries marked the edges of what was treated by the British who lived there and who dominated the Shanghai

[5] Gallagher and Robinson, 'The Imperialism of Free Trade', pp. 1-15.

Municipal Council as a British colony, peopled by Chinese 'native' subjects.[6] The first article of the Land Regulations detailed the precise borders of the Settlement as the bounds of municipal control. The Regulations provided for the outer edges of the Settlement, where not delineated by creeks and rivers, to be indicated by boundary stones (such as that on display in the Shanghai Municipal History Museum; see Figure 9), to be laid in the presence of representatives of the Chinese authorities and the Senior Consul; otherwise, its borders with its Chinese and French neighbours were unmarked and unremarkable.[7] But as early as the Taiping Rebellion, Shanghai's foreign residents, like those of other treaty ports throughout China, felt the need to erect gates and barriers to keep out danger.[8] The protection they offered was a major part of the attraction of the Settlement as a safe haven, which enabled its rapid development and enrichment. Barriers were erected in times of stress throughout the history of the Settlement and these physical barriers proved to be great sources of contention. Foreign nervousness about the dangers of being in China were intensified following the Boxer Uprising and, barely more than a decade later, worries about the upheaval that accompanied the Xinhai Revolution again made Shanghai's foreign population feel vulnerable.[9] To reassure the residents as much as to provide real protection, the Shanghai Municipal Council closed barriers at the borders to the north in 1911.

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[6] Bickers, *Britain in China*, p. 128.
[7] 1899 Land Regulations, printed in Feetham, *Report*, Vol. I, p. 63; SMA U1-1-1247: A. M. Kotenev, 'Extra-Settlement Roads, 1853-1930', memorandum submitted to SMC 1 December 1930, p. 86; A. M. Kotenev, *Shanghai: Its Mixed Court and Council*, p. 557.
[8] Bickers, 'British Concessions and Chinese Cities', p. 16.
[9] Bickers, *Scramble for China*, p.349.

Figure 9: Boundary stone on display in Shanghai Municipal History Museum.

In normal years, however, it was the administrative borders of the Settlement that the SMC was anxious to defend. The council jealously guarded its independence from Chinese authority. Although the extraterritoriality granted by the Treaty of Nanjing only extended to foreigners, while Chinese residents of the Settlement remained subject to Chinese law, the council established a precedent that the latter should not be subject to local taxation beyond that charged by the council itself, as seen in the previous chapter (pp. 128-9). The SMC was not always successful in enforcing this: the consular body overruled the

objections raised by the SMC in 1919 and 1920 to allowing the Chinese authorities to collect a stamp tax in the Settlement.[10] The council's refusal to cooperate in its collection, however, meant the matter fell into abeyance until the new Shanghai Municipal Government took it up in 1927. The latter proposed to the SMC that the council should aid it in collecting the tax in return for half of the resulting revenues. The SMC refused, averse to setting such a precedent. Sharp hikes in import taxes followed, which the council was powerless to oppose.

The SMC did take a strong stance, however, on Stirling Fessenden's urging, against a tax that was equivalent to two months' rent on Chinese living in the foreign settlements in support of the Anti-Northern Punitive Expedition of the Nationalist Government, declaring the tax illegal and collectors liable to arrest and punishment 'without leniency.'[11] The Shanghai Municipal Police were alerted and in July 1928 they reported the existence of six separate Chinese municipal government bureaux operating within the Settlement for the purpose of collecting taxes. An office of the Intelligence Bureau of the Ministry of Foreign Affairs was also found operating within the Settlement. The council demanded the closure of all these offices (against the wishes of its new Chinese members, who supported the Municipal Government) but to no avail. It was not simply the attempt to collect taxes within the Settlement that so affronted the foreign members of the council, but also the accompanying presence of Chinese government officials and police to enforce the collection of the taxes. A compromise was therefore finally reached in 1930 that the stamp tax, and no other Chinese tax, could be collected within the Settlement, provided no police

[10] U1-1-1246: Kotenev, 'Chinese Taxation', p. 50.
[11] *NCDN*, 28 June 1927.

or tax collectors from an outside authority operated there.[12] This was a small but significant concession from the council (the first of many) which had so long guarded its exclusive right to tax the residents of the Settlement, in return for the greater prize of maintaining the exclusion of Chinese police and officials from within its borders.[13]

The council consistently resisted efforts by police other than the municipal force to exercise authority within the Settlement. In 1904 a public security bureau (*gong'an ju* 公安局) operating within the limits was given less than a week to remove its business and staff beyond the limits.[14] A year later a police station operating in the north of the Settlement came to municipal notice after it sent two arrested soldiers for trial at the Mixed Court. The station's men were told to leave within five days or face arrest themselves.[15] Such cases continued to appear sporadically and the council's hostility to outside policing on municipal ground only intensified with the arrival of the Shanghai Municipal Government and its efforts to assert Chinese sovereignty within the Settlement. As Frederic Wakeman asserted, the two police forces had good reason to compete, but had no hope of success in fighting crime if they did not cooperate.[16] It is clear, however, that the SMP was valued more for its military strength to defend the Settlement than its capacity to apprehend criminals.

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[12] Kotenev, 'Chinese Taxation', p. 87.
[13] On the resentment of the Chinese authorities at this denial of their right to police the Settlement, see Wakeman, *Policing Shanghai*, pp. 75-76.
[14] SMA U1-1-82: Watch Committee, 5 July 1904.
[15] U1-1-82: Watch Committee, 1 May 1904.
[16] Wakeman, *Policing Shanghai*, pp. 60-77. Wakeman's thorough treatment of the relationship between the two authorities in matters of policing in this period requires no further development here.

Weapons of Defence: the SMP and SVC

The Shanghai Municipal Council had two of its own organisations to call on for purposes of defence, the Shanghai Municipal Police and the Shanghai Volunteer Corps, and when required it could also turn to the armed forces of the foreign powers: the gunboat diplomacy that underpinned the European position in China from the nineteenth century. The Watch Committee stated explicitly that 'the Shanghai Municipal Police forms the first line of defence and is quasi-military in nature'.[17] In this, it was akin to the colonial police forces found in Africa and India.[18] The SMP was the largest department under the council's purview and often appeared to Shanghai's inhabitants to operate outside the municipal structure, though in fact its actions were overseen by the Watch Committee and its staffing issues were subject to the deliberations of the Staff Committee. This was an international force, with 'foreign' (essentially British), Chinese, Indian and Japanese branches.[19] The first recruits were Britons obtained from Hong Kong in 1854, for defence rather than traditional policing in the first instance. In the twentieth century recruits were obtained directly from Britain. Many of the more senior posts were occupied by men with a background in the Royal Irish Constabulary, a militarised gendarmerie, or in other colonial forces (such as Captain E. I. M. Barrett, seconded and then appointed permanently from the

[17] U1-1-86: Watch Committee, 4 July 1918. The committee was discussing the reintroduction of badges of rank for senior police officers, and noted that the Hong Kong police considered it a useful practice.

[18] The main contributors to the literature on colonial policing remain David Killingray and David Anderson. See the contributions to their pair of edited volumes on the subject: David M. Anderson and David Killingray (eds.), *Policing the Empire: Government, Authority and Control, 1830-1940* (Manchester: Manchester University Press, 1991); David M. Anderson and David Killingray (eds.), *Policing and Decolonization: Politics, Nationalism and the Police, 1917-65* (Manchester: Manchester University Press, 1992).

[19] On the Shanghai Municipal Police, see Robert Bickers, 'Who were the Shanghai Municipal Police, and Why Were They There? The British Recruits of 1919', in *New Frontiers*, ed. by Bickers and , pp. 170-91; 'Ordering Shanghai: Policing a Treaty Port 1854-1900', in *Maritime Empires: British Imperial Maritime Trade in the Nineteenth Century*, ed. by David Killingray, Margarette Lincoln and Nigel Rigby (Aldershot: Boydell and Brewer, 2004), pp. 173-194; and *Empire Made Me*, pp. 64-94.

Malay States Guides).[20] Others had a military background, such as Captain (later Major) Alan Hilton-Johnson, who joined in 1907 on the recommendation of the Captain Superintendent, who had seen his capabilities in the Weihaiwei Regiment, and later became Deputy Commissioner, Acting Commissioner and finally Commissioner General of the force.[21] Like colonial police forces around the globe, the men were housed in barracks and organised by military rank. Foreign members of the SMP were trained in musketry and the use of revolvers, and by 1916 the whole force was armed – a clear deviation from the Metropolitan Police model towards the colonial approach of exercising control through force.[22] The Chinese branch was by far the largest, typically ten times the size of the foreign branch, and was tasked primarily with patrolling duties and everyday policing. It was not well-trusted and the foreign branch was intended to provide supervision of the Chinese and other branches. In fact, immediately before the Mixed Court riots of 1905, the Watch Committee entertained the idea of dismissing the Chinese branch entirely, its duties to be performed by a much enlarged Indian branch.[23]

The Indian Section comprised mostly of Sikhs, who were prized throughout the British world for their imposing stature, military prowess and bravery in battle.[24] Sikhs

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[20] U1-1-82: Watch Committee, 5 February 1907. Charles Jeffries promoted the long-held view that the RIC was the model for colonial policing throughout the British empire, and while this has been challenged, notably by Richard Hawkins, the influence of the RIC was certainly apparent in many police forces around the world and the SMP was no exception. Charles Jeffries, *The Colonial Police* (London: M. Parrish, 1952); Richard Hawkins, 'The 'Irish Model' and the Empire: a Case for Reassessment', in *Policing the Empire*, ed. by Anderson and Killingray, p. 24.

[21] U1-1-82: Watch Committee, 19 September 1907.

[22] U1-1-85: Watch Committee, 31 May and 12 July 1915; 17 October 1916. Obtaining sufficient ammunition for the Police Annual Musketry Course was considered a priority despite the shortage of supplies during the First World War, so when supplies from Britain fell short, the Watch Committee directed the Commandant of the SVC to explore the possibility of supplementing them with ammunition from Hong Kong, Manila or the USA.

[23] U1-1-82: Watch Committee, 5 December 1905.

[24] Isabella Jackson, 'The Raj on Nanjing Road: Sikh Policemen in Treaty-Port Shanghai', *Modern Asian Studies*, ('First Access' published online 29 February 2012), pp. 11-12.

were first brought over from India in 1884 in response to fears from foreign residents on council-built roads external to the Settlement about the impact of the Sino-French war at that time. They could be paid considerably less than European police officers yet helped counter the much larger Chinese branch, which, due to the racial prejudices of the council and foreign community of the Settlement, was never held in high regard. The Sikhs in their striking red turbans became a great source of prestige for the British community, displaying the exotic splendour and power of the British Raj to the western and Chinese residents of Shanghai. Yet they increased Chinese resentment of the SMP: in 1913 the American consul warned E. C. Pearce, chairman of the SMC, that young Chinese involved with the YMCA, 'really excellent fellows, say that they will endure Chinese or foreigners to safeguard the [Northern] district but they will resist the "Black slaves".'[25] Despite such Chinese animosity towards the Sikhs, the council had sought to increase their number to 1,000 for mobilisation against unruly crowds following the Mixed Court riots of 1905, but was prevented by concerns from the British consul general and minister that this would constitute a standing army. In the wake of the May Thirtieth Movement the SMP also established a Reserve Unit, again mainly made up of Sikhs, which was modelled partly on anti-riot units in the Indian police. This was a small, disciplined armed force that could provide a rapid response to labour unrest or riots, as well as fires. It also provided back-up for police operations against armed robbers and criminal gangs.[26]

The Japanese branch was established in 1916, due to a combination of pressure from the Japanese community and an acute shortage of European recruits during the First

[25] U1-2-437/1840: American consul to Pearce, 29 July 1913.
[26] Bickers, *Empire Made Me*, pp. 192-3; E. W. Peters, *Shanghai Policeman*, ed. by Hugh Barnes (London: Rich & Cowan, 1937), p. 70.

World War. Impressed by the discipline of the branch and the economy achieved by their lower salaries and shorter passage from home compared with their British counterparts, the council expanded the branch and promoted its officers, like Shigeru Uyehara, in the following years, though never to the most senior levels. As tensions between the Chinese and Japanese communities deepened, the SMP was affected: a clash between the Chinese and Japanese branches of the SMP in 1918 resulted in a Chinese constable fatally shooting a Japanese colleague.[27] The Watch Committee considered an expansion of the Japanese branch from 30 to 50 helpful in controlling 'the rowdy Japanese element' and as a way of countering Japanese attempts to 'usurp' the SMP's exclusive right to police the Settlement through the use of Japanese consular police in Hongkou.

When the May Fourth protests which swept the country in 1919 following the Treaty of Versailles erupted into student marches and strikes in Shanghai, the SMC ordered the police to escort any gatherings of students (though being careful to avoid clashing with them) and take particular care to prevent any anti-Japanese disturbances. The Japanese Consul-General was asked to warn Japanese residents to keep indoors at night and 'everything possible would be done to protect Japanese property from damage.'[28] While the SMC was seeking to preserve order, its apparent alliance with the Japanese against the Chinese protestors caused some of the students to question whether their anger should in fact be directed more widely against foreign imperialism in general, instead of against only the Japanese. The May Fourth protests represented a novel source of disorder for the SMC,

[27] U1-1-86: Watch Committee, 7 October 1918. The minutes record the view that 'a section of the Japanese community' did not understand the status of the Settlement and were 'apparently under the impression that the municipality is to all intents and purposes *a separate country*' upon which they were 'entitled to make demands, ignorant of the fact that they are in fact themselves members of the municipality' [emphasis added].
[28] U1-1-86: Watch Committee, 5 June 1919.

and it immediately put the SVC and SMP on alert.[29] The eight-day general strike from 5 June caused massive disruption to business, industry and transport, and despite efforts by the Students' Union to keep the protest peaceful, dozens of arrests were made by the police forces of all three authorities in the city. Clashes between the SMP and protesters were sometimes violent, though nothing on the scale that would be seen later. The SMP was thus the main force at the disposal of the SMC for the preservation of peace as well as more aggressive measures for defence and expansion.

In addition to general policing and literal defence of the Settlement in times of danger, the SMC also turned to the police to defend its autonomy and interests against the Chinese authorities. The SMP arrested eight Chinese soldiers who entered the Settlement without a permit in 1901, and regularly enforced the exclusion of Chinese police or military authorities.[30] This became more of an issue following the establishment of the Chinese municipal government, as described below, and again the SMP was on the front line of defending the Settlement from any encroachment from Chinese authorities. For example, it was the Commissioner of Police who drew council attention to the presence of Chinese Stamp Tax collection bureaux in the Settlement in 1928, which he was ordered to close down.[31] The SMP was also engaged in intelligence gathering, through the Criminal Investigation Department Intelligence Office, later renamed the Special Branch, and in cooperation with the intelligence organs of the foreign powers and the Nationalist

[29] Chen, *May Fourth Movement in Shanghai*, p. 118.
[30] U1-1-82: Watch Committee, 10 April 1901. The Senior Consul queried the arrests, concerned about the offence caused to the Chinese authorities, but the Watch Committee declared that the SMP's action 'was wholly in accordance with the Council's arrangements as notified to the consular body in August 1899.'
[31] Kotenev, 'Chinese Taxation', p. 60.

government, targeting Communists and other threats to imperial interests.[32] Transnational linkages in the gathering of intelligence cemented ties between the SMC and other political authorities and ensured its status alongside national governments in the fight against security threats.

In this way the SMP guarded the Settlement on behalf of the council in both a literal and metaphorical sense. Chinese opposition to increases in the strength of the force in 1927 was based on both resistance to the necessary increase in rates and a conviction that the SMP served foreign rather than Chinese interests.[33] Popular criticism of the outlay on policing was justified: the SMP was an expensive force (costing around three million taels to maintain),[34] mainly because of the large numbers of foreign personnel, monopolising between a third and half of the council's expenditure (see Figure 8, p. 147). It was rivalled only by the Public Works Department, whose land purchases and road-building projects also served the council's expansionist ambitions. The SVC, on the other hand, provided defence on the cheap as the single largest expense, salaries, was not required for volunteers.

The Shanghai Volunteer Corps was formed in 1853 (one year prior to the establishment of the SMC) to defend the Settlement against feared Qing encroachment during the Taiping Rebellion and cut its teeth the following year in the Battle of the Muddy Flat.[35] It was reconstituted under the authority of the council in 1870 and organised into companies by nationality: in later years the British were joined by American, German,

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[32] Bickers, *Empire Made Me*, pp. 172-74; 'Incubator City: Shanghai and the Crises of Empires', *Journal of Urban History* (Forthcoming, March 2013), pp. 31-33, 39-40.

[33] *Shenbao*, 28 June 1927, p. 12; 3 July 1927, p. 13; 7 July 1927, p. 14; 11 July 1927 p. 13; 27 August 1927, p. 14.

[34] Wakeman, *Policing Shanghai*, p. 70.

[35] *The Battle of "Muddy Flat," 1854: being an historical sketch of that famous occurrence, written specially for the jubilee commemoration thereof at Shanghai, April 1904* (Shanghai: North China Herald, 1904). Robert Bickers describes how this battle came to hold symbolic status as the 'founding date' of the International Settlement for Shanghailanders: Bickers, *Britain in China*, p. 40; 'Shanghailanders', p. 199.

Austrian, Japanese and even Chinese companies.[36] This internationalism gives some indication of why the Chinese name for the Corps was *Wanguo shangtuan* (万国商团, roughly 'the Militia of the Merchants of Many Nations'); indeed Zhuang Zhiling compares it to the Eight Nation Army which formed to fight the Boxer War in 1900.[37] There was, however, a strict racial hierarchy at work: 'A' Company was exclusively white and British – Eurasians were demoted to 'B' Company, while 'C' Company was for Chinese volunteers. There were also at various times Italian, Portuguese, Jewish and Filipino units, and a unit for employees of the Chinese Maritime Customs Service. Volunteering was seen as a civic duty and the major firms were all supposed to encourage their men to volunteer, although they often begrudged the days it demanded their employees to be absent from the office. One third of eligible British residents belonged to the SVC in 1928, reflecting the anxiety over the security of the Settlement at that time and the concomitant sense of duty to protect it.[38] The volunteers wore uniforms to reflect the armies of their home countries, from the kilts of the Scottish Highlanders to the cavalry-style uniform of the American company. But in the twentieth century they were commanded by an officer seconded from the British Army, armed with British Army weapons, and supplied with ammunition from the British colony of Hong Kong. All the companies drilled and practised at the rifle range in Hongkou, honing skills that could be and were used in open battle, as seen below. The new SVC Armoury, erected in 1903, was right in the centre of the Settlement, near the Central Police Station and opposite the Health Department, so if the Settlement were

[36] I. I. Kounin, *Eighty Five Years of the Shanghai Volunteer Corps* (Shanghai: Cosmopolitan Press, 1938).
[37] Zhuang Zhiling, '*Shanghai gonggong zujie zhong de "duoguo budui" – wanguo shangtuan*', ('The Multinational Militia of the Shanghai International Settlement – the Shanghai Volunteer Corps') *Dang'an yu shi xue* (April 1997), pp. 72-4.
[38] Bickers, *Britain in China*, p. 84.

attacked the weapons would be safely at the heart of the defended area and easily accessible to both volunteers and police.[39]

The Corps expanded greatly over the decades, particularly at each successive moment of stress. In 1900 the SVC stood guard in case of disturbances in connection with the Boxer Uprising, and the Major Commanding the Corps and his Adjudant attended a meeting of the SMC's Watch Committee to outline the defence scheme, which included specified centres for assembling the volunteers, a system of patrols and a method for sounding the alarm.[40] The foreign community was extremely nervous, the *North-China Herald* later claiming that 'the settlement was in actual danger of annihilation'.[41] It was expected that at such times the SMP would be at the disposal of the Commandant of the SVC for defence purposes, and he recommended that the reserves of ammunition at each police station be increased. A Chinese company formed in 1906 after the Mixed Court Riots, which from 1913 was permitted to bear arms on the same basis as the other volunteers, a concession which the *North-China Herald* welcomed patronisingly as 'an indication of appreciation of their services.'[42] It is significant that Chinese residents wanted to defend the Settlement under the authority of the British Commandant and the SMC.[43] Members of the Chinese company were given certification for attaining a certain level of military training to help boost the professionalism of the force.[44] A company of Swiss,

[39] U1-1-82: Watch Committee, 27 January 1903.
[40] U1-1-82: Watch Committee, 15 June 1900.
[41] *NCH*, 23 January 1901, p. 142.
[42] *NCH*, 6 September 1913, p. 698.
[43] The Chinese Company of the SVC held its own annual meetings, where it decided its priorities within the parameters set by the Commandant. 商團華隊年會奇記 (*Shangtuan huadui nianhuiji*, 'Account of the Annual Meeting of the Chinese Company of the Shanghai Volunteer Corps), *Shenbao*, 5 November 1924, p. 14.
[44] *Shenbao*, 20 March 1924, p. 13.

Dutch and Scandinavians was formed in 1924, further diversifying the Corps.[45] There was a Philippine company under American command, demonstrating that not only British but also American imperialism characterised the International Settlement. A salaried Russian Unit was added in 1927, essentially providing the council with the standing army that it had been denied when the large expansion to the Sikh branch of the SMP was blocked twenty years earlier (especially in view of the fact it was renamed the 'Russian Regiment' in 1932 when the Russian Volunteers were incorporated with the salaried men).[46]

A Russian unit was first proposed in 1922 by officers of the former Russian Imperial Army who settled in Shanghai. The Commandant suggested a Russian platoon might be attached to 'B' Company (the Eurasian Company) as the presence of a keen platoon 'would probably stimulate keenness in the lower ranks... or make them so ashamed that they would resign.' In his view the company should either '"get on" or "get out"',[47] reflecting the prejudice against Eurasians that was typical of the time.[48] Membership of the platoon would be limited to 'the law-abiding class of Russians', he said, and might help in the event of trouble with 'undesirable Russians', but the Watch Committee was unconvinced and decided to defer the decision 'until there is a stable Russian Government'. Instead, it was the imperatives of defence that dictated the formation of the Unit, as Chinese armies clashed around Shanghai, rumours circulated that Chinese students were going to form an army 5,000 strong in the Settlement as the May Thirtieth Movement escalated, and London threatened to remove the British Defence Force because it was undermining Sino-

[45] Clifford, *Spoilt Children of Empire*, p. 81.
[46] Kounin, *Eighty Five Years of the Shanghai Volunteer Corps*, pp. 129-32.
[47] U1-1-87: Watch Committee, 17 July 1922.
[48] Bickers, *Britain in China*, pp. 71-2.

British relations.[49] Despite all this, a recruitment drive to increase the number of volunteers was deemed to have failed, as public confidence in the SMC plummeted. A paid Russian Unit seemed the only way to ensure adequate defence of the Settlement, and it ensured that the business of Shanghai need not be interrupted by mobilising the volunteers 'except in cases of very widespread civil disturbance or external aggression'.[50] In 1937 it guarded gates and blockhouses to try to keep the Sino-Japanese hostilities beyond the Settlement's limits, and was mobilised 16 times to crush riots.[51] Against these internal and external threats the SMC now had at its disposal a paid force of over 100 permanently employed soldiers, supplemented by almost 300 Russian Volunteers at the core of a force of over 2,000 fighting men. By arming itself with a force that increasingly resembled an army, the SMC was behaving as if had a statelet to defend.

Moving beyond borders

Despite its fierce opposition to Chinese public security bureau personnel functioning within the Settlement, the council had no qualms about sending its own municipal police beyond the Settlement limits. In the nineteenth century the council had built a number of roads external to its current Settlement borders in anticipation of including these areas in subsequent expansions, which proved founded. As soon as the largest expansion was formalised in 1898, the council embarked on even more ambitious land purchase and road-building plans, based on the same assumption that this land would soon be brought into the

[49] U1-1-89: Watch Committee, 21 June 1928.
[50] Kounin, *Eighty Five Years of the Shanghai Volunteer Corps*, p. 132. Despite their utility to the council, Russians were held in low regard in the SVC hierarchy. For example, the council defrayed the costs of accommodation in the General Hospital for members of the Corps: at first class rates for officers of all companies and second class for the men, with the exception of the Russian Unit whose officers and men were entitled only to second and third class rates respectively. U1-1-88: Watch Committee, 22 April 1927.
[51] Kounin, *Eighty Five Years of the Shanghai Volunteer Corps*, p. 133.

Settlement proper, but this time there would be no further expansions.[52] The council argued against objections from both the consular body and Qing officials that its extra-Settlement roads were justified by the 1866 and 1898 revisions of the Land Regulations. The Public Works Department built roads to reach amenities, from the municipal granite quarry at Pingqiao to the promised cool relief of 'the hills' owned by Jesuits ten miles from the city (see Figure 10 for the areas covered by external road-building). As foreigners populated these roads alongside Chinese, the council saw a need to protect them and their property, as well as its own investments in the form of amenities, so included these roads in the beats of the Shanghai Municipal Police. Indeed, it was the protection of residents on Bubbling Well Road, external to the Settlement, which was the immediate cause for the recruitment of the first Sikh police in 1884.[53] The council claimed its extraterritorial rights extended to the external roads as they were foreign property, highlighting again the way in which extraterrioritality underpinned the council's expansionism.

[52] Kotenev, 'Extra-Settlement Roads'.
[53] SMC, *Report for 1884*, p. 44.

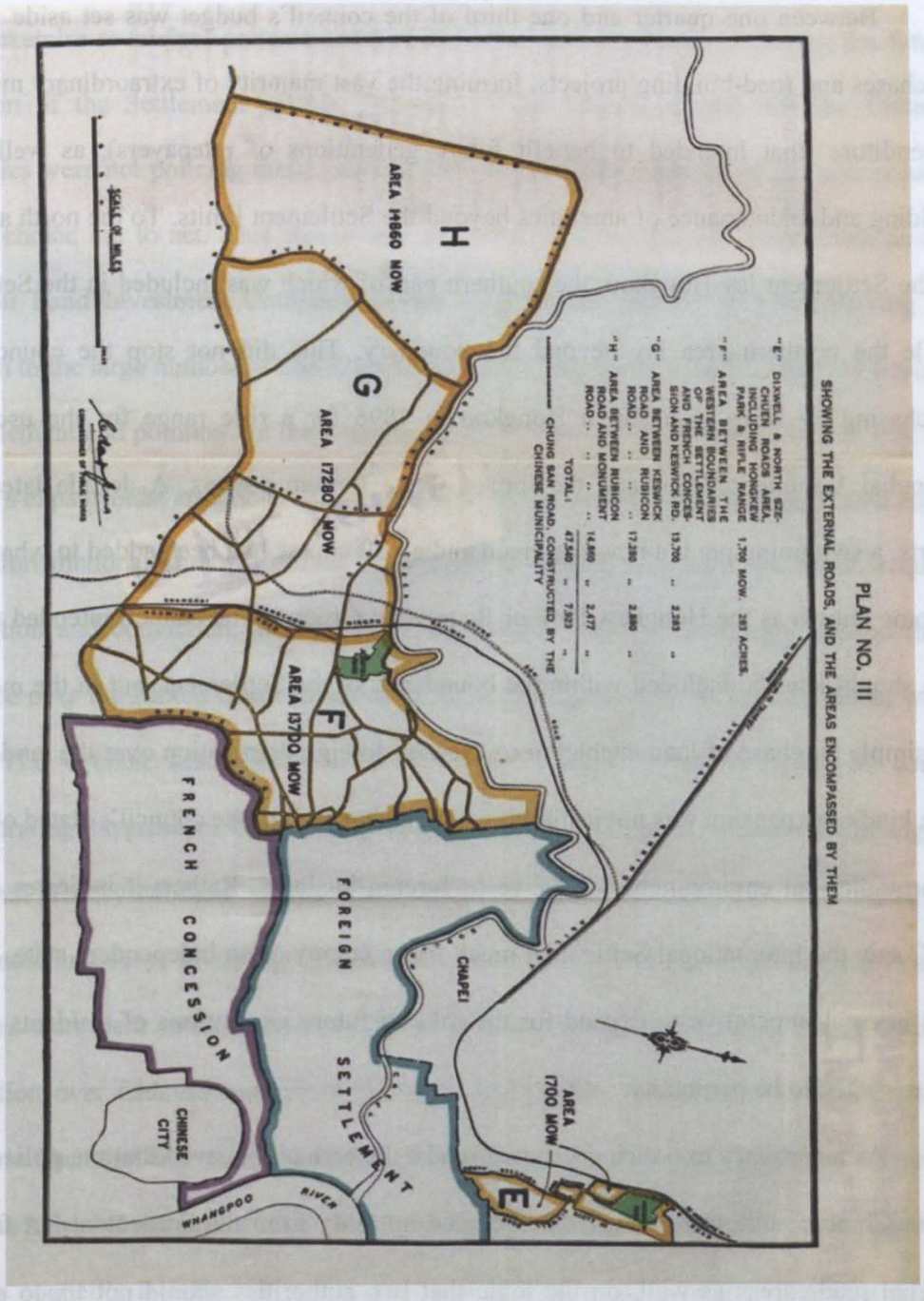

Figure 10: Plan showing External Roads areas.[54]

[54] Feetham, Report, Vol. III, facing p. viii, image from <http://www.virtualshanghai.net/Asset/Preview/vcMap_ID-403_No-0.jpeg>, accessed 5 February 2012.

Between one quarter and one third of the council's budget was set aside for land purchases and road-building projects, forming the vast majority of extraordinary municipal expenditure (that intended to benefit future generations of ratepayers), as well as the building and maintenance of amenities beyond the Settlement limits. To the north and west of the Settlement lay Hongkou, the southern part of which was included in the Settlement while the northern area lay beyond the boundary. This did not stop the council from purchasing 39 acres in northern Hongkou in 1896 for a rifle range for the use of the Shanghai Volunteer Corps and the forces of the foreign powers. A decade later tennis courts, a swimming pool, a bowling green and a golf course had been added to what was to become known as the Hongkew Park or Recreation Ground. The council intended that this area should later be included within the boundaries of the Settlement, but in the meantime the simple purchase of land enabled it to exercise foreign domination over the landscape.[55] This kind of expansion was not justified by strict adherence to the council's stated objective of providing an environment conducive to foreign business. Rather, it indicates that the SMC saw the International Settlement much like a colony or an independent state, with its own internal imperative to expand for the sake of future generations of residents in what was expected to be perpetuity.

As a corollary to policing external roads, the council believed that the police forces of the Chinese authorities should be excluded not only from the Settlement but from the external roads areas as well, on the logic that two authorities should not try to exercise jurisdiction in the same area. It challenged the patrolling of Cemetery Road by the Daotai's police in 1898 and responded to a 'case of ruffianism' by police in Pudong in 1900 with a

[55] U1-1-56: Finance Committee, 9 October 1908.

call to exercise municipal police control of the area 'with a view to furthering the future extension of the Settlement in this direction'.[56] The council argued that the Chinese authorities were not policing these areas effectively, so in the interests of law and order it had no choice but to act. This stance was supported by property developers such as the Shanghai Land Investment Company, which wrote to the council in 1906 drawing its attention to the large number of new Chinese houses in the part of Hongkou that lay beyond the Settlement and pointing out the inadequacy of the local policing there.[57] In this way the council's expansionist ambitions neatly intersected with those of Shanghai's capitalist elites.

Jurisdictional authority follows the power to police, as arrested criminals require prosecution and conviction, and the SMC and consular body increasingly exerted their influence over the Mixed Court in which cases involving Chinese in the Settlement were heard. The council sent members of the SMP, usually Sikhs, to stand in court, demonstrating the presence of municipal authority (as depicted in dioramas in the Shanghai Municipal History Museum today). The Foreign Assessor represented western views on cases, including those involving Chinese only even though this was beyond his purview. Prisoners were sent to the municipal rather than a Chinese gaol.[58] A crisis of foreign jurisdiction over Chinese resulted in the first major public disturbance of the twentieth century in Shanghai and 'the most violent antiforeign protest since the opening of the treaty port': the Mixed Court riot of 1905.[59] Smouldering resentment during the course of the year over the council's interference in Chinese cases erupted when a widow returning to her

[56] U1-1-82: Watch Committee, 20 June 1898 and 27 March 1900.
[57] U1-1-82: Watch Committee, 13 November 1906.
[58] Bryna Goodman, *Native Place, City and Nation: Regional Networks and Identities in Shanghai, 1853-1937* (Berkeley: University of California Press, 1995), p. 187, n. 25.
[59] Goodman, 'The Locality as Microcosm of the Nation?', p. 399.

native place of Guangdong with her late husband's coffin and 15 servant girls was arrested by the SMP on suspicion of kidnapping and transporting girls for sale. The Chinese Magistrate ruled that she should be placed in the Mixed Court gaol, but the foreign Assessor ordered the municipal police to incarcerate her in the newly built municipal gaol, even though he had no legal right to do so.[60] The SMP followed the Assessor's orders after fighting with the Magistrate's runners, injuring several of them and a Chinese official in the process. Public anger at the police brutality was expressed at open meetings of hundreds and, in one case, thousands of people.[61] The Chinese Ministry of Foreign Affairs and the foreign diplomatic body responded with pressure on the SMC to release the widow, but by the time it did the protest had gathered even greater momentum and expanded to include demands for Chinese representation on the council.[62] When the SMC refused to negotiate, a crowd of thousands of protestors attacked and set fire to police stations and the town hall. Inspector Wilson in charge of Louza (Laozha) station disarmed his men on the orders of the Captain Superintendent, but as the crowd grew in force it was able to loot the station's bayonets and carbines and burn down the station. The SMC called on the full force of the municipal police and Volunteers, as well as the Royal Navy and Marines from men-of-war in the harbour, to restore order. Surprisingly, 100 Chinese sailors were offered by Rear Admiral Sah to help maintain order and were detailed by the Watch Committee to bolster the River Police in the defence of Pudong, beyond the Settlement limits.[63] This

[60] Goodman, *Native Place, City and Nation*, p. 188.
[61] Goodman, *Native Place, City and Nation*, pp. 189-90.
[62] Kotenev attributed the nationalist turn of the protest to a combination of the influence of returned overseas Chinese students, anger over the recent Chinese Exclusion Act in the USA and the impact of the recent Japanese victory over Russia. Kotenev, *Shanghai: Its Mixed Court and Council*, p. 128. On the anti-American protests of 1905 see Karl Gerth, *China Made: Consumer Culture and the Creation of the Nation* (Cambridge, Mass.: Harvard University Press, 2003), pp. 127-31.
[63] U1-1-82: Watch Committee, 18 December 1905.

demonstrates that the right of the SMC to enforce order both within the Settlement and in the surrounding area was accepted by the Chinese military authorities to the extent that they were willing to contribute forces under foreign direction.

An inquiry by the Watch Committee concluded that police inspectors should have been given wider discretion in defending their stations and that the order to disarm had been mistaken, setting out the line that would contribute to the violent response to the protestors of 30 May 1925. Nevertheless, the committee recorded the view that the regrettable loss of property was more than compensated by 'the avoidance of sacrifice of innocent lives of residents in the immediate vicinity' and the restraint shown by the police under attack '[could not] fail to produce a generally good effect on native feeling'.[64] In fact, the violence of the crackdown elsewhere, particular at the town hall – the defence forces killed at least 15 protestors and injured many more – did nothing to improve relations between the council and Chinese residents or local authorities.[65] But it certainly demonstrated the SMC's willingness to resort to force to defend its buildings and authority and the readiness of foreign armed forces to come to its aid.

This was not the last encroachment of the municipal authorities into the independence of the Mixed Court: during the 1911 Revolution the SMP marched into the court, took possession of its buildings and records and dismissed the court runners and other 'hangers-on'.[66] From then until 1926, it was run by the municipal council on behalf of the consular body, demonstrating another significant area (in addition to defence) in which foreign interests were allied between the consular body and the council. The fees charged

[64] U1-1-82: Watch Committee, 21 December 1905.
[65] Goodman, *Native Place, City and Nation*, p. 192.
[66] Stephens, *Order and Discipline in China*, p. 50.

for hearing cases went to the council to contribute to the extraordinary expenditure of the SMP.[67] Thomas Stephens argued that the 'prompt, summary, and decisive' hearings of the Mixed Court, closely following jurisdictional procedures in western nations, allowed the council to maintain much higher standards of orderliness than was found beyond the Settlement limits.[68] Yet Eileen Scully and others have highlighted the ingrained inequality that was epitomised in the court and the 'pre-trial preemption and post-verdict maneuverings' in which the SMC engaged behind the scenes.[69] As Chinese nationalism grew, however, the rendition of the Mixed Court in 1926 signalled an early erosion of semi-colonial power in the Settlement.[70] The *Shishi xinbao* (時事新報, *China Times*) argued in 1930 that the establishment of an independent Chinese court in the Settlement and the disbanding of the SMP were two immediately necessary precursors to the recovery of the International Settlement, which, the paper said, should be a priority for the Ministry of Foreign Affairs.[71] The Chinese recovery of legal jurisdiction in the Settlement certainly curtailed foreign freedom to exert control in the Settlement.[72]

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[67] U1-1-60: Finance Committee, 14 March 1921.

[68] Stephens, *Order and Discipline in China*, p. 103; Wang Limin makes a similar argument: Wang Limin, 'Zhongguo de zujie yu fazhi xiandaihua – yi Shanghai, Tianjin he Hankou wei li' ('China's Concessions and the Modernisation of the Legal System – using the examples of the concessions at Shanghai, Tianjin and Hankou'), *Zhongguo faxue*, (March 2008).

[69] Scully, *Bargaining with the State from Afar*, p. 17.

[70] On the rendition and its terms, see A. M. Kotenev, *Shanghai: Its Municipality and the Chinese* (Shanghai: North China Daily News and Herald, 1927), pp. 171-88; Gu Xiaoshui, '1926 nian Shanghai gonggong zujie huishen gongxie shouhui jiaoshe shuping' ('Commentary on the Negotiations for the Rendition of the Shanghai International Settlement Mixed Court in 1926'), *Lishi dang'an* (February 2007), pp. 97-109.

[71] *Shishi xinbao*, 21 May 1930.

[72] For one example of the use of the Mixed Court to support anti-imperial protests, see Zhiwei Xiao's account of the Mixed Court's verdict on the Sinophobic film *Welcome Danger* in 1930, which banned the film throughout the country and demanded that both the American ambassador and the film's director issue formal apologies to China. Zhiwei Xiao, 'Anti-Imperialism and Film Censorship During the Nanjing Decade, 1927-1937', in *Transnational Chinese Cinemas*, ed. by Sheldon Hsiao-peng Lu, pp. 35-57.

Aggressive expansionism

The extensions of the council's authority in taxation, policing and utilities beyond the Settlement limits signalled efforts towards the eventual inclusion of such areas within its boundaries. One area that was particularly targeted was the district of Zhabei, to the north of the Settlement. Almost before the ink was dry on the Land Regulations which approved the final borders of the Settlement, the council was already seeking ways to expand into Zhabei. It had in fact sought to include the district within the borders agreed in 1898, but this effort was resisted by the Chinese authorities. As Robert Bickers has shown, maps produced of the Settlement included foreign property in Zhabei, coloured imperial red.[73] A plan submitted to the China Association in 1908 showed two proposed expansions, one which was needed 'as an urgent matter' and a second, much wider line indicating a boundary which would satisfy the council's ambitions 'for many years'.[74] Again, the assumption was that the Settlement would inevitably continue to expand for the foreseeable future. The extension considered immediately necessary was by no means modest, including Zhabei, the Hongkew Recreation Ground and surrounding area, a sufficient extension to the west to include Edinburgh and Jessfield Roads ('which district it is understood from the native press is about to be policed under native organisation', policing again being seen as the sign of governmental authority) and 'so much of Pootung [Pudong] as will bring under taxation the wharves and godowns which at present unfairly compete with similar undertakings within Settlement limits'. The larger, long-term proposed extension included a much greater area to the west, and included the French Concession,

[73] Bickers, *Scramble for China*, p. 364.
[74] U1-1-56: Finance Committee, 9 October 1908. The plans were not realised, but were clearly considered achievable in 1908.

the hope being that negotiations in London and Paris might incorporate the latter into the International Settlement as originally hoped in the 1860s. The council's expansionism was therefore not confined to Chinese parts of Shanghai and its environs.

While negotiations with the Chinese authorities failed to win the council any territorial gains, it simply embarked on a road-building project in 1903, taxing and policing the residents as described above. Small incidents were seized upon as excuses for seeking an extension to the Settlement, such as the assault in May 1908 of Police Constable Sinclair by Chinese police in Zhabei, beyond the Settlement. In the eyes of the council, the fact that the constable was beyond the Settlement limits in no way restricted his right to operate there freely. This incident, coupled with 'the present conditions under which the northern boundary of the Settlement has become obliterated by roads construction and buildings ... such as may at any time give rise to serious disturbance,' justified in the minds of council members an appeal to the consular authorities to seek to bring the area as far as the Shanghai-Nanjing railway line under formal municipal control.[75] Subsequently the Senior Consul requested the Daotai to remove 'native' police from this area pending the resolution of the boundary question – clearly on the assumption that it would be settled in the SMC's favour. This illustrates how closely the police jurisdiction of an area was linked to attempts at formal expansion of the borders of the Settlement. Furthermore, it is worth noting that police functions extended beyond the simple preservation of law and order. Members of the SMP were responsible, for example, for the enforcement of licensing regulations, which were imposed beyond the Settlement from 1909. Licenses were charged for and issued on premises in Zhabei and elsewhere in the same way as businesses operating within the

[75] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XVII, 27 May 1908, p. 90.

Settlement limits had to pay licence fees in accordance with various bye-laws, again on the justification that residents on the external roads were entitled to the security this offered of basic standards in hygiene and other areas.

Negotiations rumbled on but the consular and diplomatic bodies made no headway in convincing the Chinese government that the council should be granted its sought-for extension. Then, in July 1913, an opportunity arose to try to seize Zhabei by military occupation instead of relying on this frustrating diplomacy. A revolt led by the Guomindang against President Yuan Shikai erupted in Shanghai, surrounding the Settlement with gunfire.[76] The council, dominated by expatriates and thus ever anxious to preserve peace and stability in the interests of good business, wanted the government forces to win a swift victory while maintaining a neutral buffer-zone between the open hostilities and the Settlement. The neutral zone was overly-ambitious: even the *North-China Herald*, that die-hard advocate of foreign imperialism in China, recognised that it would not be practical.[77] But when the revolutionaries took control of Zhabei, right on the Settlement's border, in order to launch an attack on the government arsenal, the secretary to the council, W. E. Leveson, urged that this was the moment to seize the district. Just like his predecessor, J. O. P. Bland (who was encouraging him to use force in 1913), Leveson was at the forefront of calls to expand the Settlement. The moment had been anticipated: the finance committee had allowed for the expansion of the SMP in March 1913 in order to meet potential need in Zhabei.[78] But the council members were thinking primarily in terms of defence: it was staff like Leveson and the heads of the police and volunteers who saw

[76] Bickers, *Scramble for China*, pp. 365-6.
[77] *NCH*, 2 August 1913, p. 313.
[78] U1-1-57: Finance Committee, 21 March 1913.

disorder as an opportunity to expand in Zhabei, though the council members who ultimately bore responsibility for the decision were readily persuadable. This stance chimed with popular Shanghailander opinion. According to the *Herald*, the presence of rebels north of Shanghai meant it was only a matter of time before the fighting was brought right into Zhabei, 'a district so closely interwoven with the Settlement.'[79] It was therefore necessary for the council, with its responsibility 'for the safety of thousands of innocent lives,' to order the occupation of the district: a military expansion into Zhabei was being cast as a duty for the council.

Captain Superintendent of Police C. D. Bruce reported marching into northern Zhabei on the morning of Sunday 27 July after Commandant Barnes had paraded the Light Horse and SVC Artillery companies on the orders of the Captain.[80] The SVC was subordinate to the SMP in this operation, perhaps because the stated aim was to bring the district under municipal police control, though it may have simply been a function of Colonel Bruce's superior rank to Lieutenant Colonel Barnes's.[81] Barnes reported to Bruce that he used all companies of the SVC equally in the operation, highlighting the roles played by the Light Horse, Japanese and Portuguese companies, before the duty of occupying the district was handed over to the Chinese company, presumably to reduce friction with Chinese residents and authorities.[82] Bruce thanked both the SVC and the Criminal Investigation Department of the SMP, which he said had provided assistance

[79] *NCH*, 2 August 1913, p. 313.
[80] U1-2-673: Captain Superintendent to Secretary, 30 July 1920.
[81] Barnes, formerly of the Weihaiwei Regiment, was a Major in the British Army but received a step up to the rank of Lieutenant Colonel by the War Office at the council's request. When his successor, Major Trueman, asked for a similar step up in his own status in 1915, however, the council felt that to ask the War Office would do 'little more than draw attention to the unofficial and unrecognised character of the Council's commission', showing the tenuous nature of the Corps' military status. U1-1-82: Watch Committee, 12 July 1915.
[82] U1-2-673/2555: Barnes to Bruce, 28 July 1913.

which enabled the occupation of Zhabei to be 'so simple': the C.I.D.'s work thus extended far beyond traditional policing. Evidently the expansionist ambitions of the SMC were served by an international cross-section of men from both the SMP and SVC. The *North-China Herald* claimed that the occupation was achieved with success, but Robert Bickers points out that Bruce's triumphal march of the SVC faltered somewhat when it was not met by the Chinese deputation which he anticipated would hand control of the policing of the district to him.[83] Nevertheless, the SMP policed the area and the SVC's Chinese company stood guard. The Superintendent of Chinese Police in Zhabei wrote complaining primarily about the use of Sikhs and the use of force to seize the weapons of his own police.[84] The Superintendent and others argued that the council had overstepped its rights in employing force to disarm the rebels and Chinese police outside the Settlement, but the *Herald* argued that this action was 'as inevitable as if they had been found within the borders of the Settlement.'[85] The council and consular body had successfully established the principle that the Settlement was neutral territory, to be free from any conflict that may affect surrounding China, and now this neutrality was being extended to areas on its border. The next logical step was the permanent inclusion of Zhabei in the protected zone of the Settlement.

Yet this was not to be: two days after the occupation was initiated, a counter-attack initially targeting the Sikh police (the rebels shot at Captain Barrett, who led the branch) forced the SVC 'to withdraw to the Settlement boundary', followed by the municipal police who were stationed there. Barnes was at pains to emphasise that the rebels opened fire first

[83] Bickers, *Scramble for China*, p. 366.
[84] U1-2-427/1863: Translation of letter from Superintendent Moh of the Chinese Police to the Red Cross Society, 30 July 1913.
[85] *NCH*, 2 August 1913, p. 316.

and the SVC exercised 'patience and forbearance' in not retaliating for some time before returning fire.[86] Bruce reported that he believed on 29 July that he was following the orders of the Japanese Admiral 'to enter Chapei, to rescue any foreign lives or persons then in danger and to retire'.[87] Any mention of Japanese involvement was suppressed from the public records as it did not suit the council's claims of autonomy, but it shows that the foreign naval protection enjoyed by the Settlement came with an expectation that the SMC's own forces would cooperate with their aims. Nevertheless, the council failed to expand its boundaries and the Zhabei police resumed their duties. A combination of Chinese outrage and consular criticism had shown the council that its position there was untenable, at least for the time being. The council, however, continued to expect the expansion of the Settlement boundaries in the near future. In the meantime, the Yuan Shikai government was highly respectful of foreign sensibilities in Shanghai, no doubt partly in return for the backing of the council which helped it crush the Guomindang rebellion. It asked the permission of the Diplomatic Corps in Beijing to take troops through both Zhabei and the Settlement, indicating that it accepted the council's claim that the level of foreign interests in Zhabei and its proximity to the Settlement allowed some foreign control over the district.[88] The diplomats, on the other hand, decided to allow the passage of troops through Zhabei but not through the Settlement, demonstrating their stricter adherence to the existing boundaries as the outer edges of foreign-controlled Shanghai.

Despite this failure in 1913, the council's ambitions for expansion of the Settlement remained undaunted and it resorted to the same tactics as it had employed before, building

[86] Barnes to Bruce, 31 July 1913.
[87] Bruce to Chairman, SMC, 2 August 1913.
[88] *NCH*, 16 August 1913, p. 507.

up its presence on extra-Settlement roads. It also entered into negotiations with Beijing in 1914-15, floating the possibility of Chinese representation on the council or the rendition of the Mixed Court in return for the desired extension of the Settlement limits.[89] In 1917 the Captain Superintendent of Police suggested that recent agitation in Pudong offered an opportunity to obtain municipal police control over all foreign property on the east of the river.[90] Again, staff rather than councillors advocated aggressive expansionism. The Watch Committee decided to defer (though not dismiss) the idea due to an impasse with the local Chinese authorities over China's measures against Germans and Austrians in the Settlement. Even though the council consisted entirely of Allied nationals, the preservation of the neutrality of the Settlement trumped wartime allegiances, so Chinese authorities could not be permitted to take action against Germans and Austrians within the Settlement. A compromise was reached whereby these nationalities would be required to obtain permits and men would have to report weekly to SMP stations, but Chinese authorities would not be permitted to enforce these measures.[91] The council continued to anticipate extensions to the Settlement right into the 1920s, without success. It finally quietly abandoned these ambitions with the arrival on the scene of the Shanghai Municipal Government at the end of 1927, following which its efforts were concentrated increasingly on defence rather than expansion.

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[89] Feetham, *Report*, Vol. I, p. 124; Manley O. Hudson, 'The Rendition of the International Mixed Court at Shanghai', *American Journal of International Law*, Vol. 21, No. 3 (July 1927), p. 459.
[90] U1-1-86: Watch Committee, 14 September 1917.
[91] U1-1-86: Watch Committee, 8 October 1917.

Defence in difficult times

From September to October 1924 the Jiangsu-Zhejiang war raged between rival 'warlords' in the area surrounding Shanghai.[92] Storm clouds had been gathering for many months, although the Chinese and foreign authorities – chambers of commerce, guilds, diplomats, and the SMC – combined to negotiate a guarantee respecting Shanghai's neutrality from the commanders of the two forces, Qi Xieyuan and Lu Longxiang, in 1923.[93] It should be noted that it was not only the International Settlement that claimed neutrality in conflict, but it was far more successful than the Chinese authorities in defending it.[94] When the neutrality was first threatened in January 1924, the SVC issued a public notice warning of its intention to fire artillery from Suzhou Creek if provoked.[95] It also expanded the Chinese company of volunteers.[96] The fighting erupted on 3 September and the council declared a state of emergency on 9 September, a necessary step for the landing of naval forces.[97] In fact, the council had no right in the Land Regulations or other agreement to declare a state of emergency, but its authority to do so was never challenged.[98] 1,600 sailors duly came ashore to defend the International and French Settlements. The SVC erected a 16-mile cordon incorporating the Settlement and some of the external roads areas, although there was no serious threat of the fighting entering the Settlement itself, the military commanders

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[92] Arthur Waldron, *From War to Nationalism: China's Turning Point, 1924-1925* (Cambridge: Cambridge University Press, 1995), pp. 73-90.
[93] Waldron, *From War to Nationalism*, p. 41.
[94] The Chinese authorities had little hope of keeping the rival armies away from the economic prize of controlling Shanghai, nor its valuable arsenal.
[95] *Shenbao*, 18 January 1924.
[96] *Shenbao*, 4 March 1924, p. 14. The French concession had reconstituted its Compagnie française de volontaires the previous year, but it was a small force of only 120 men and could not provide protection alone. Clifford, *Spoilt Children of Empire*, p. 81.
[97] The French concession declared a state of emergency the same day. Clifford, *Spoilt Children of Empire*, pp. 84-85.
[98] F2953/156/10 John Pratt, acting British Consul-General, minute of 22 March 1927, cited in Clifford, *Spoilt Children of Empire*, p. 297, n. 8.

having nothing to gain from engaging the foreign powers in warfare. The Zhabei authorities, with more cause for concern, asked the SMC to extend the cordon around the whole of the district, and Chinese business groups even asked for municipal protection of a much larger area encompassing most of the city west of the Huangpu, in return for support in extending the Settlement boundaries. Tempting though the offer was, no such undertaken could be given in writing, so the council and consuls agreed against accepting it.[99] Given the widespread animosity towards the council prompted by the May Thirtieth Incident a few months later, the Chinese request seems surprising, but the council held out a promise of security which was the primary concern for businesses, Chinese and foreign alike. This attitude contrasted with that expressed in *Shenbao*, which argued that the maintenance of fortifications beyond the boundaries of the Settlement after the immediate threat had passed in November was an affront to Chinese sovereignty.[100] It was a view that would become commonplace by the following summer.

The main problem for the SMC that autumn had been logistical rather than defensive: how to cope with the influx of refugees. But in January 1925 the fighting resumed and came right into the western suburbs on the borders of the Settlement, and even briefly broke the defence lines of the French Concession.[101] The SMC and other representatives of the foreign community such as the China Association called for foreign troops to defend the Settlement, but London and Washington were more reluctant than previously to antagonise the Chinese government to defend foreign interests. On the advice of military commanders who argued the council's own forces were sufficient, the British

[99] Clifford, *Spoilt Children of Empire*, p. 89.
[100] *Shenbao*, 5 November 1924, p. 14.
[101] Clifford, *Spoilt Children of Empire*, p. 86.

and American governments refused the calls for help, leaving the Settlement more dependent than ever on the SMP and SVC for defence. They were fine on their own, the borders of the Settlement never being breached by the warlords' armies.

The May Thirtieth Movement has been comprehensively studied by historians, and it lies beyond the scope of this thesis to attempt to add new insights to the existing scholarship.[102] The protesters' anger when the SMP was perceived to be favouring Japanese employers rather than strikers was hardened into a general revulsion of the police, the council, the Settlement and the foreign presence when twelve protesters were killed by the SMP on 30 May 1925. Police and Volunteers tried to restore order to the streets, but this time the council's defences were to its own detriment, merely confirming its image as an aggressive, imperialist authority. This turning point in Chinese perceptions of the council and foreign, particularly British, views of Shanghailanders, had implications for the future defence of the Settlement. London and Washington were more cautious about defending Shanghailander interests, which were so damaging to their own national relations with China, and the Chinese population and authorities were now united in hostility to any action that hinted of expansionism. Thereafter, the SMC was more defensive than expansionist.

Communist insurrections against the government provided the first threat to the security of the Settlements after May Thirtieth, in October 1926 and February 1927, raising the spectre of a Communist takeover of China along the lines of Russia's Bolshevik revolution. The Guomindang was seen as a Bolshevik threat almost as serious as that posed

[102] Nicholas Clifford, *Shanghai, 1925* (Ann Arbor: University of Michigan Centre for Chinese Studies, 1979; Rigby, *The May 30 Movement*; Clifford, *Spoilt Children of Empire*, pp. 97-112; Smith, *Like Cattle and Horses*, pp. 168-89.

by the Communist Party, due to its links to the Soviet Union. An arrest warrant taken out by the SMP for Chiang Kai-shek shows the danger he was felt to pose to municipal security and the council's willingness to interfere in Chinese politics, despite claiming neutrality for the Settlement.[103] Chiang Kai-shek was not, of course, arrested, but the SMP redoubled surveillance efforts against suspected communists in Shanghai and the SVC expanded recruitment and established the Russian unit. The Chairman and Commissioner General held a meeting with major employers explaining the importance of supporting the Corps by encouraging their employees to volunteer, with success in boosting numbers.[104] British troops were also on hand in Hong Kong to arrive to reinforce the Settlement's defences if necessary, but this time they would not land in Shanghai unless it was under direct threat. In contrast to 1924, the decision of whether or not to send an Indian Mixed Brigade directly to Shanghai in anticipation of trouble or to land them in Hong Kong in the hope that they would not be required was taken not in Shanghai or even Hong Kong but by the cabinet at Westminster: if action were to be taken to protect the Settlement, it would be directed from London, not the council's offices.[105] The decision in fact featured in the King's Speech opening parliament on 8 February, demonstrating the importance attached to Shanghai.

Defence was not the only consideration in the discussion, however. Miles Lampson, the British Minister in Beijing, had suggested that the sending of troops could be used as a 'bargaining counter' with the Chinese authorities. If assurances were given that 'anti-British agitation', including the boycott of British goods still in place following May Thirtieth 1925, would cease, the British would refrain from sending the Indian troops on

[103] Clifford, *Spoilt Children of Empire*, p. 176.
[104] U1-1-88: Watch Committee, 29 October 1926.
[105] TNA, CAB 23/54: cabinet meeting 7 February 1927.

from Hong Kong. Yet British representatives in Shanghai disagreed: the British Consul-General and the naval Commander-in-Chief argued that one brigade and three battalions must be landed in Shanghai 'at all costs' to guarantee the port's security, claiming that 'any weakening relative to the landing of troops at Shanghai would be disastrous.' Austen Chamberlain, Secretary of State for Foreign Affairs, anxious to limit the damage done to Sino-British relations by the SMC, pointed out that troops were sent to Shanghai as a precaution and to prevent the loss of life, so any attempt to use them to gain advantage vis-à-vis the Chinese authorities was 'a misapprehension of British policy'. Opinion in Shanghai was divided. The American and Japanese authorities were keen to maintain the neutrality of the Settlement by avoiding the deployment of foreign troops there, keeping defence of the Settlement in the hands of municipal forces. Yet the SMC, dominated as it was by Britons, was anxious to ensure maximum British military protection. The municipal position was explicitly referenced in the cabinet meeting and council member Brigadier-General Macnaghten's professional military opinion that three brigades were necessary was quoted. After three and a half hours of discussion (with a one-and-a-half hour break for lunch) the cabinet concluded that the decision of whether the Indian Mixed Brigade should be sent straight to Shanghai or landed in Hong Kong should be taken by those 'on the spot', meaning the consulate and military officers in Shanghai, so long as it was in keeping with British policy that troops were for the preservation of British life rather than any political purpose.[106] The naval Commander-in-Chief deemed it necessary to bring the Indian Mixed Brigade directly to Shanghai, so the stronger defence option was enforced. These troops

[106] On the role of Britain's 'men on the spot', see Pelcovits, *Old China Hands and the Foreign Office*, and Hirata Koji, 'Britain's Men on the Spot in China: John Jordan, Yuan Shikai and the Reorganisation Loan, 1912-1914', *Modern Asian Studies* (Forthcoming 2012).

were to be confined to the Settlement 'except in case of grave emergency.'[107] The SMC was subordinate to the British consular and military authorities in these decisions, revealing the way in which it depended on colonial assistance when the SVC was not a sufficient defence force.

As Chiang Kai-shek's Northern Expedition neared Shanghai, the SMC prepared for it to besiege or attack the Settlement, but also for internal disorder. It was a general strike on 21 March 1927, encouraging fears of 'Bolshevism', which prompted the council to declare a state of emergency, mobilise the SVC and SMP and call the naval forces to its defence.[108] The combined force helped defend the Settlement as the Nationalists seized the rest of the city except Zhabei, where fighting continued. Briefly, the next day, British and Chinese exchanged fire, killing around 25 Chinese, while more died when repelled from the safety of the Settlement to the guns of the Nationalists.[109] By the end of the day, Chiang Kai-shek's troops were victorious and the streets were silent. Foreign residents attributed the safety of the Settlement to the council, for its own defensive measures and for taking the decision to enlist the help of the foreign powers. The annual meeting of ratepayers the following month passed unanimously a resolution expressing 'heartfelt gratitude for the measures taken by the Municipal Council *in the first instance and afterwards* by the Foreign Powers for the protection of all residents of this Settlement [emphasis added].' No doubt gratified by the emphasis placed on the initial response taken by the SMC ahead of

[107] TNA, CAB 23/54, telegraph to Sir Miles Lampson, 10 February 1927, appendix to cabinet meeting minutes, same date.
[108] Clifford, *Spoilt Children of Empire*, p. 217.
[109] Clifford, *Spoilt Children of Empire*, p. 219.

the foreign powers, Fessenden forwarded the resolution to the consular body.[110] The Chinese response was more muted, *Shenbao* welcoming the lifting of the state of emergency (aptly *jieyanling* 戒嚴令, 'martial law', in Chinese) in the Settlement on 10 May 1927 and highlighting the negative impact the measure had had on business.[111]

The SVC had again erected defensive barbed wire barricades, walls, gates, and concrete blockhouses, including barbed wire defences right across the Sinza and Markham Road bridges into the Settlement, obstructing all traffic. As the threat subsided the council had the barricades removed from the sidewalks of the bridges, but kept the roads blocked, resulting in fierce criticism from the Chinese Ratepayers' Association on behalf of businesses whose trade was suffering.[112] Stirling Fessenden, Secretary General of the council, argued that the barricades were still required due 'to the intensive campaign of anti-foreign publicity which is being conducted in Chinese territory outside the limits of the Settlement, apparently under the auspices of the local Nationalist authorities ... [which he considered to be] deliberately calculated to arouse the worst passions in the ignorant masses.' These barbed wire barricades, erected as a military defence against the forces of war, became a protective barrier against political opposition. More than civil war, it was the supposedly marauding masses of Chinese anti-imperialism that Fessenden and his colleagues feared most keenly in the years following the May Thirtieth Movement.

[110] NARA RG 84/1686: Fessenden to Consul-General, 20 April 1927. The British consul would have been just as gratified by the next paragraph of the resolution: 'There is abundant evidence from what has happened elsewhere and what has been attempted here, that if it had not been for the prompt action of the Powers, *especially Great Britain*, this Settlement would have run the greatest risk of being dominated by the forces of disorder [emphasis added].'

[111] *Shenbao*, 11 May 1927, p. 9.

[112] Exchange of correspondence between the Senior Consul *ad interim*, the Commissioner of Foreign Affairs, and the Secretary of the SMC, printed in *Municipal Gazette*, Vol. XX, No. 1083, 24 June 1927, pp. 222-3.

Nevertheless, bowing to public and consular pressure, the barricades were removed a month later and replaced with gates: a more permeable barrier.

The barricades were highly valued by many of the Settlement's residents as a source of security. Their importance was illustrated when Y. C. Poon of 106 Wusong Road requested that his tax contribution be reduced from the General Municipal Rate to the Special Rate, which was two percentage points lower. Poon's claim was based on the fact that his property, though within the boundaries of the Settlement, was on the outside of the barriers when they were erected, leaving him unprotected.[113] His request was approved, a recognition that the protection of the lives and property of residents was a primary role of the council, as indeed it had been from its earliest days. Conversely, a protest at a higher assessment of the value of a property on the borders of the Settlement for the payment of rates, on similar grounds that it was beyond the gates so in times of emergency was 'as unsafe as Chinese territory' and therefore commanded lower rents, was rejected in 1933.[114] The argument was not considered unfounded, however: the Finance Committee simply noted that the location of the property on the edge of the Settlement had been taken into account when assessing its value. The barriers thus formed a more real administrative boundary to the Settlement than the official perimeter established in 1899.

The greatest test for the council's ability to protect the Settlement from outside threats came when the Japanese were no longer content with the limited role they enjoyed alongside their longer-standing western counterparts in China. Chinese nationalist resentment of foreign transgressions focussed on Japanese imperialism and found powerful expression in an effective boycott of Japanese goods. The existing antagonism only

[113] U1-1-61: Finance Committee, 17 June 1927.
[114] U1-1-62: Finance Committee, 26 May 1933.

increased as Japan's ambitions crystallised in the occupation of Manchuria from September 1931. As the year drew to a close, an approaching conflict between Japan and China in Shanghai seemed inevitable. In response, chairman Brigadier-General Macnaghten convened a meeting of the Shanghai Defence Committee in December, which brought together the Commandant of the Shanghai Volunteer Corps, the Commander of the Shanghai Municipal Police, the Commandant of the troops of the French Concession, the Garrison Commanders and staff officers of all the foreign forces present in the city, and the Secretary General of the council. They agreed to a defence scheme that, in the event of the SMC declaring a state of emergency, would divide the Settlement into sectors, each the responsibility of a different force (the defence sectors planned in 1935, shown in Figure 11, followed the same boundaries).[115] According to the scheme, each force would protect the inhabitants of its sector regardless of nationality, and confine its activities to that sector alone. The SMC was directing the entire combined foreign force from its chambers, and its role in deciding when and if to declare a state of emergency made it central to the defence of the Settlement.

[115] SMA U1-1-1251: A. M. Kotenev, 'Memorandum on Sino-Japanese Armed Conflict', pp. 3-8. This meeting was reported in the Chinese press, but the details were not known. *Shenbao*, 22 January 1932, p. 9.

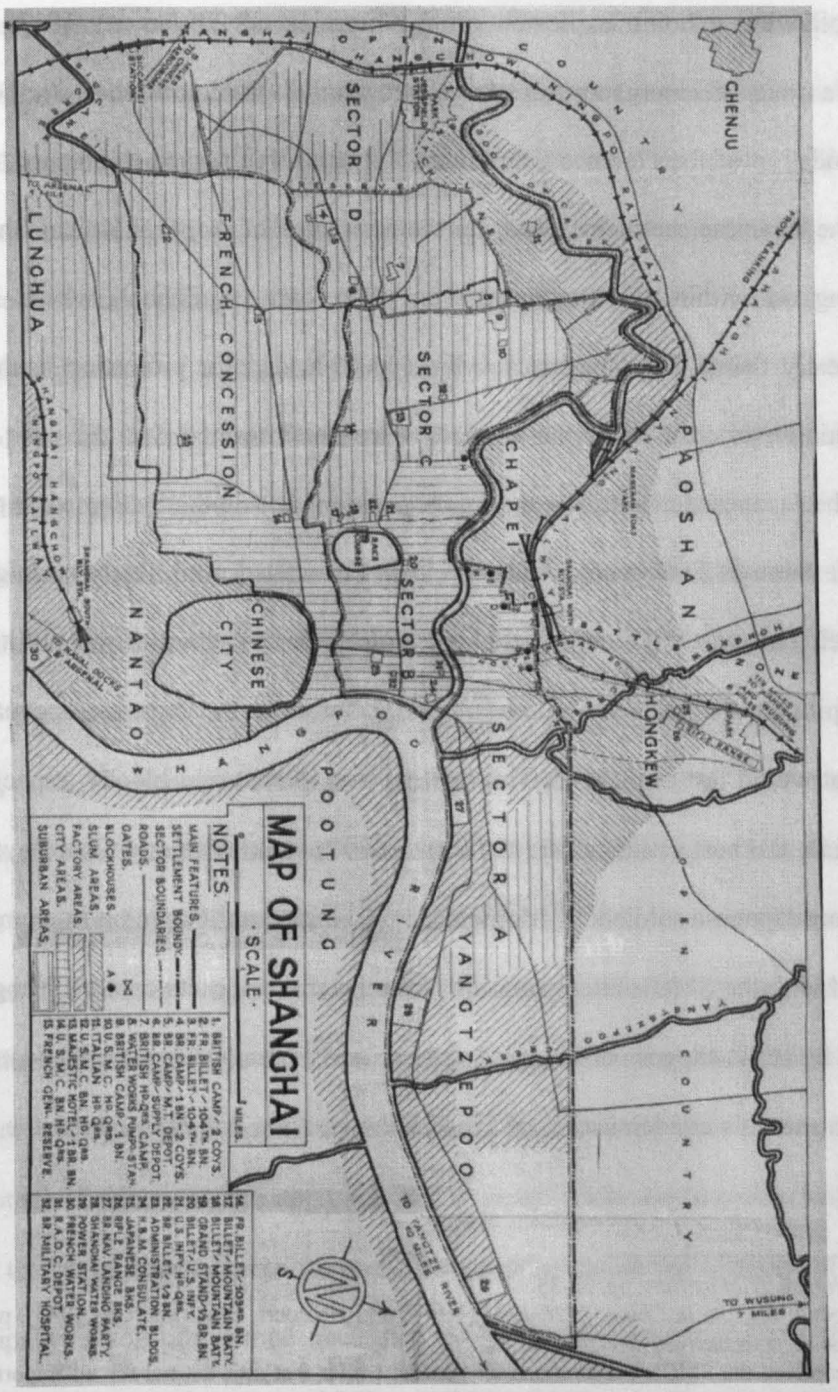

Figure 11: Map of distribution of foreign forces and defences in Shanghai, 1935.[116]

[116] TNA WO106/5334, <http://www.virtualshanghai.net/Image.php>, accessed 19 November 2011.

Following a bomb explosion on the morning of 28 January 1932, the council declared a state of emergency to take effect from four o'clock that afternoon, on the recommendation of the Defence Committee.[117] Each force rushed to prepare to defend its sector. The Japanese sector included, on the insistence of Admiral Kōichi Shiozawa, not only Hongkou within the Settlement, but also part of Zhabei, where he claimed hyperbolically that 6,000 Japanese residents had pleaded for protection against 600,000 hostile Chinese troops.[118] But the Chinese were not informed that this was the official plan.[119] The Japanese naval troops took their positions within the Settlement in time for the start of the State of Emergency at four o'clock, but waited until nearly midnight to move into Zhabei. This was therefore taken by Chinese forces as an act of war and they opened fire, precipitating the outbreak of warfare and ushering in the Japanese occupation of the district that would last until 1945. The fighting was intense and bloody, especially on the Chinese side: the best estimates are almost 12,000 casualties among Chinese soldiers and 2,500 among Japanese soldiers.[120] Momentarily, Chinese public opinion as expressed in the press sided with the SMC's attempts to increase the area under its control, recognising that this would be at the expense of Japanese aggression.[121] *Shenbao* reported favourably on the Watch Committee's condemnation of Japanese aggression and highlighted the role of the

[117] Jordan, *China's Trial by Fire*, pp. 32-33.
[118] Hallett Abend, *My Life in China, 1926-1941* (New York: Harcourt, Brace and Co., 1943), p. 187. Abend was a correspondent of the *New York Times*.
[119] *Shenbao* reported the SMC's preparations for conflict earlier that day, but not the all-important extent of the Japanese defence plans. *Shenbao*, 28 January 1932, pp. 13-14.
[120] Jordan, *China's Trial by Fire*, pp. 187-88; Christian Henriot, 'Beyond Glory: Civilians, Combatants and society During the Battle of Shanghai', *War & Society* (Forthcoming 2012). . Atrocities abounded: to add one to the many documented by Donald Jordan and others, J. H. Jordan described 'deliberate shooting at [the] windows of [the] Mental Hospital.' U1-16-10-216: J. H. Jordan, 'Diary of State of Emergency', 29 January 1932.
[121] *Shenbao*, 30 January 1932, p. 2; 31 January 1932, p. 2.

SVC as the protector of the Settlement.[122] Yet as the council's powerlessness to curb Japanese militarism became clear, the newspaper added its voice to international criticism of the SMC's neutral stance.[123] Where the council had failed in annexing Zhabei, the Japanese had succeeded. More importantly, the council had failed dramatically in its self-appointed role of maintaining the neutrality of this neighbouring district. Its own defence scheme and declaration of a state of emergency were the catalysts which led to an open exchange of fire on the night of 28 January. Without them, the Sino-Japanese hostilities would still have erupted, but the council's role should not be overlooked.

Crucial to keeping the conflict outside the main areas of the Settlement (except for Hongkou, the Japanese section) were defences of barbed wire and steel gates. The Defence Committee recommended the barbed wire barricades be erected just days before the emergency, as the likelihood of conflict increased. On the evening of 28th January, the night when the hostilities erupted, the SVC prevented 100 Japanese bluejackets from passing through the gates on North Hunan Road, which were major defensive structures flanked by blockhouses.[124] However, when the Japanese Commander indicated that he planned to take his troops through this gate five days later to launch a counter-attack on Chinese troops, the Defence Committee decided that all the SVC could do to prevent this was to place barbed wire and other obstacles on the approach to the gates: under no circumstances were the volunteers to fire on the Japanese forces.[125] This policy was in the interests of preserving the municipality's self-proclaimed neutrality, which it otherwise manifestly failed to do during the conflict as the northern section of the Settlement was successfully used by the

[122] *Shenbao*, 4 February 1932, p. 3; 13 February 1932, p. 2.
[123] *Shenbao*, 11 February 1932, p. 2; 12 February 1932, p. 2.
[124] Kotenev, 'Memorandum on Sino-Japanese Armed Conflict', p. 21.
[125] Kotenev, 'Memorandum on Sino-Japanese Armed Conflict', p. 28.

Japanese as a base for their military operations. Given this policy, however, the gates and barriers were of even greater significance, as they enabled the SMP and SVC to defend the Settlement without resorting to the force of arms.

With the benefit of hindsight it is easy to see the subsequent Japanese occupation of Shanghai from 1937 as inevitable, but following the war of 1932 the council continued to try to contain Japanese ambitions in the Settlement in an effort to preserve the status quo. Measured increases to the Japanese branch of the SMP and the promotion of its officers were permitted (see pp. 105-107 and 164-5 of this thesis) but not the wholesale Japanese control of Hongkou that Japanese councillors desired. But on 13 August 1937 war broke out on the streets of the Settlement. J. H. Jordan, Commissioner of Public Health, kept a vivid diary of events as they unfurled. Beginning with a few shots audible from the Dixwell Road Police Station at 9:35, heavy gunfire moved into the Settlement.[126] The following day came the first aerial bombing, which caused the SMC Administration Building to reverberate for two minutes. This was followed by the noise of anti-aircraft fire and late in the afternoon a shell burst over the Administration Building, shrapnel 'pattering down' on the roof and acrid fumes encircling the municipal staff as they responded to the crisis. Bombs were dropped on the Bund, the heart of the Settlement, contributing to a death toll of over 1,000 in one day and shattering the carefully nurtured neutrality of the Settlement. The Public Works Department oversaw some of the digging of trenches by charity organisations to help dispose of the dead bodies that lay strewn in the streets, while the Public Health Department provided kerosene to the Japanese authorities to assist in the

[126] U1-16-10-217: J. H. Jordan, 'State of Emergency 1937: Diary of Events', 13 August 1937.

cremation of corpses in Hongkou.[127] Shanghai fell in late October, after the loss of 300,000 Chinese.[128] Nanjing followed, and by December the Settlement was rendered an 'isolated island' (*gudao* 孤岛) in occupied China.

Gates and barriers at the perimeter of the Settlement served a new purpose from 1937 as the Japanese occupied the rest of Shanghai. Passes were required to cross the boundary between the municipalities, with specific reasons given and approved by a recognised authority, such as the Shanghai Municipal Council. Many council employees were among those in need of passes to continue to perform their everyday functions. Applications from Chinese required passport photographs; the applicant's name, sex and nativity; the names of his relatives; his occupation, police district and address; a certificate of cholera inoculation; and, for chauffeurs, a driving permit.[129] If successful, the passes issued would be valid for between two and twelve months. But many were not eligible for passes or had their applications refused. Japanese sentries checked passes at the entrances to the Settlement on roads and bridges, and accounts of rough treatment of staff of the council's Public Health Department by the sentries show that this was not a simple formality.[130] By the late 1930s, therefore, the boundaries of the Settlement were very real barriers in the daily working lives of its inhabitants.

From then on the council no longer ran the whole of the Settlement, Hongkou and Yangtzepoo being under solely Japanese control. The SMP no longer policed these districts and other council functions such as the provision of public health were severely

[127] Jordan, 'State of Emergency', 17 August and 1 September 1927.
[128] Wen-hsin Yeh 'Prologue', in *Wartime Shanghai* (London: Routledge, 1998), p. 2. See the rest of this edited volume for more on Shanghai during the Sino-Japanese war.
[129] SMA U1-16-9-202: Municipal Orders, 17 July 1939.
[130] SMA U1-16-9-206: 28 February 1939, Dr S. T. Hsiu, Gaol Medical Officer, to Dr R. W. Johnston, Superintendent of Hospitals.

restricted.[131] Yet when the fighting finished in Shanghai, a degree of normality returned, and the neutrality of the Settlement, with the exception of the northern and western districts, was restored. The council continued to try to defend its borders, though now the undesirable element was the refugees who flooded in from Japanese-occupied areas. The French Concession authorities went so far as to try to hold back the tide of refugees by closing the steel gates along its borders, but the attempt was futile.[132] The biggest problem for the SMP was now trying to combat the criminality that saturated Shanghai's streets, centred on the 'badlands' west of the Settlement that had so long been semi-controlled by the council according to its policy of policing the outside roads.[133] Now, however, the SMC was barely able to maintain control within the Settlement limits, and it concentrated on its administrative rather than expansionist and military functions. With military power now firmly in Japanese rather than western hands, the SMC's position was fatally compromised.[134]

Following the attack on Pearl Harbour on 7 December 1941, Allied members of the SMC were asked to resign in January, effectively putting the council and Settlement under Japanese control. Once again, the Settlement's neutrality crumbled, and this time it would not be recovered. The SVC was abolished in September 1942, its colours placed

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[131] SMA U1-1-63: Joint Health and Finance Committee meeting, 31 March 1939.
[132] 'Four Months at War', (Shanghai: North China Daily News, 1938), p. 127, cited in Diana Lary, *The Chinese People at War: Human Suffering and Social Transformation, 1937-1945* (Cambridge: Cambridge University Press, 2010), p. 27. The French concession authorities had indeed closed the gates around the concession at the beginning of the hostilities in July 1937 and had erected a wall on its southern border to protect it from the fighting, but it was harder to keep refugees out.
[133] Frederic Wakeman, Jr., *The Shanghai Badlands: Wartime Terrorism and Urban Crime, 1937-1941* (Cambridge: Cambridge University Press, 1996).
[134] See Robert W. Barnett, *Economic Shanghai: Hostage to Politics 1937-1941* (New York: Institute for Pacific Relations, 1941), pp. 3-41; Bickers, 'Settlers and Diplomats', pp. 234-5.

ceremonially in the council chamber.[135] Yet it served Japanese interests to maintain the existing boundaries of the Settlement and council affairs for a further year, until abolishing it in August 1943. For what was seen as the temporary border to an administrative area with but flimsy foundations, the limits of the Settlement agreed in 1898 had proved remarkably durable.

Conclusion

The bellicose attitude displayed repeatedly by the Shanghai Municipal Council, most strikingly in 1913, and its expansionist tendencies in bringing areas well beyond the Settlement limits under its jurisdiction, reflect the conviction of its members and those whom it represented that it had not only a right to exist but an imperative to expand. Instead of providing the bare minimum necessary for the foreign residents to conduct their business, as initially envisaged, the council saw the defence and continued expansion of the Settlement as an end in itself, much like a colony or independent state with expansionist ambitions. The SMC was very effective at defending the Settlement borders, using every means at its disposal from bargaining over extending limited rights to representation or handing control of the courts to the Chinese in return for an expansion to exercising the full force of the Shanghai Volunteers Corps and Shanghai Municipal Police. The council's role of defending the residents of the Settlement often took the form of the protection of its borders from the encroachment of Chinese authorities, which it had in fact little legal entitlement to do, the Settlement remaining at all times Chinese territory. This weakness of the council's semi-colonial position led it to act in a more strident and aggressive manner.

[135] Bickers, *Empire Made Me*, p. 16.

Increasingly, however, defence was needed against military threats, and the SMC deployed its police and volunteers effectively. It was a significant player in the growing Sino-Japanese tensions which broke out into open warfare in 1932 and 1937, and its declarations of states of emergency were instrumental in accelerating tensions and in bringing foreign naval forces onto Chinese shores. The SMC managed to preserve the neutrality of the Settlement in the face of successive threats of mounting military strength, even as it itself was far from neutral in its interference in Chinese politics. Conflict was inherent in the council's position as an antagonistic presence at the heart of Shanghai and the fact that it drew on foreign, primarily British, military backing reflected its status as a British-dominated expression of foreign imperialism in China. As an aggressive, expansive statelet its successes came in the nineteenth century, although it continued successfully to expand its influence on the growing network of extra-Settlement roads up to the 1930s. But as a militarised force it strengthened in the twentieth century, only falling in the face of the might of Japan, and then only when the western Allies entered the Pacific War. The significance of the Shanghai Municipal Council as an actor on the political stage in China should not, therefore, be underestimated. Moreover, it is evident that parts of the informal empire were no less likely to engage in military conflict than formal colonies.

Chapter Four:

Health within Limits: The Public Health Department

'[Criticism of the health provision in the International Settlement] serve[s] to defeat the very aims we have in view by weakening the morals of our own health workers and tax payers, and by causing the Chinese outside to deprecate the health organisation under foreign control (assuming that we have any influence in either direction).

'During the past ten years I have travelled in fifteen of the eighteen provinces of China, and have visited every large port in Asia as far as Bombay (with the exception of Colombo). It is always with a feeling of relief, pleasure and pride that I return to the International Settlement.'[1]

David Arnold has claimed that understanding disease and medicine are central to the study of colonial rule, as the prevention and treatment of disease formed a source of contact, conflict and sometimes eventual convergence between the coloniser and the colonised.[2] Disease was a key element in the ideological and political framework of empire, as western confidence in science produced a growing sense of cultural superiority, as expressed in the opening quotation.[3] Colonial medicine also throws light on internal divisions within colonial authorities, as decisions concerning the allocation of scarce resources revealed conflicting priorities. This chapter is therefore devoted to the development of public health provision in the International Settlement, as a case study of how the semi-colonial Shanghai

[1] SMA U1-16-9-198: Letter from W. W. Peters, MD, Director of the Council on Health Education, to H. Holgate, President of the Rotary Club of Shanghai, 19 March 1925. See p. 9 for more on the Council on Health Education.

[2] David Arnold, 'Introduction', in *Imperial Medicine and Indigenous Societies*, ed. by David Arnold (Manchester: Manchester University Press, 1988), p. 2.

[3] David Arnold, *Science, Technology and Medicine in Colonial India* (Cambridge: Cambridge University Press, 2000), pp. 15-17.

Municipal Council functioned in practice and how effective it was in managing the Settlement.

The broader themes of the thesis are all in evidence here: the similarities to experience in formal British colonies, but also subtle differences from them due to the semi-colonial nature of Shanghai; the transnational influences at work in Shanghai, notably the League of Nations Health Organisation and the Rockefeller Foundation, yet also the limits of transnationalism within the Settlement due to racial tensions between the western-dominated council and Chinese residents and authorities; and the challenges facing the council in the form of the financial limitations of a tight budget, the geographical limitations of the Settlement boundaries, and the legal limitations of the Land Regulations and Byelaws. The work of the SMC's Public Health Department (PHD) is approached from the perspective of these limitations, while the significance of the council's semi-colonial and transnational nature and context is highlighted throughout.

The Shanghai Municipal Council was charged by the Land Regulations with providing an environment and infrastructure conducive to business. This included, by implication and as council activities developed, the implementation of a public health policy to provide a safer living and working environment for its residents – safer, that is, than the surrounding Chinese City; as was true in many colonial contexts, 'lines of hygiene were boundaries of rule'.[4] The SMC often appeared to prefer to see the Settlement as an isolated island, doing its best to ignore the other political authorities in the city and beyond. But as the demands of public health grew, this became impossible. The widely accepted

[4] Alison Bashford, *Imperial Hygiene: A Critical History of Colonialism, Nationalism and Public Health* (London: Palgrave, 2004), p. 1.

maxim that 'prevention is better than cure'[5] dictated that large-scale measures be taken to improve the health of the general population as the best defence against outbreaks of serious disease. Such measures would be rendered somewhat ineffective if confined to the 8.66 square miles of the Settlement, especially as these were exceptionally porous boundaries, through which the city's inhabitants crossed daily as they often lived, worked and enjoyed their leisure hours in parts of the city under different jurisdictions. Cooperation with the neighbouring authorities was therefore crucial and unavoidable, although, as this chapter will demonstrate, the different sides viewed each other with suspicion and cooperation was far from smooth.

Political borders were not the only limits on the work of the PHD. As seen above, the perennial problem of funding was particularly acute in laissez-faire Shanghai, where the council and ratepayers were largely allied in a desire to keep spending and thus taxation to a minimum. That minimum was often confined largely to the needs of the foreign population, especially prior to 1928 when the first Chinese council members were finally brought into the decision-making process. Public health provision in the early decades of the twentieth century was therefore driven by the concerns of the foreign residents, with disease prevention within the Chinese population motivated to an extent by the desire to protect foreigners from infection. Health officers with the best of intentions were forced to scale down their public health programmes in the face of budgetary constraints. They were also limited in what they could achieve by the peculiar legal basis of the council's authority,

[5] That this phrase was already in common currency in Victorian England is evidenced by the publication of books including it in their title, including Sarah Ellis, *Prevention Better than Cure, or, The Moral Wants of the World We Live in* (London: Appleton, 1847); R. B. Richmond, *"Prevention Better than Cure": Practical Remarks on the Prevention of Cholera and Removal of other Troublesome States of the Bowels* (London: Nissen and Parker, 1849); unknown author, *What is Cholera? Or, Prevention Better than Cure, by a Bengal Doctor* (London: G. Purkess, 1860).

which rested on the Land Regulations and supplementary byelaws, the changing of which was no easy task. In addition, particularly in the earlier years of this period, there was the suspicion of many Chinese towards western medical methods to overcome, and the corresponding lack of cultural understanding on the part of the council's health personnel. Both were common features of colonial societies throughout the world.

This chapter begins with an overview of the development of the council's public health provision from the late nineteenth century, before examining in depth how the health department functioned and the ways in which it sought to maximise its impact despite budgetary and legal limitations. This included everyday public health work as well as moments when the council attempted far-reaching intervention in the daily lives of Chinese residents, such as during the plague epidemic of 1910. In this way the reaction of Shanghainese to such measures is explored as indicative of the council's relationship with the population of the Settlement. In addition, the municipal laboratory is analysed in terms of its practical and symbolic role in the council's claim to scientific modernity.

Next, the chapter turns to the rivalrous relationship between the council and the French Concession authorities in relation to public health, which oscillated between cooperation and resentment. The two foreign authorities had to reconcile differences of opinion on all areas of public health, including such contentious touch-points as the treatment of venereal diseases and the insane. The nature of the relationship between the council and the Chinese Municipal Government of Shanghai, formed in 1927, is then considered. While health officers on both sides were keen to improve public health provision, there was little appetite for compromise on points of difference, and areas of public health policy were exploited for political gain. Yet despite frequent failure to

cooperate with the authorities beyond the limits of the International Settlement, the PHD was able to achieve marked improvements in certain areas of public health in the Republican period. Where cooperation was achieved, the progress made was all the greater, and it appears that such cooperation was attempted more frequently and with increasing success in the years following 1927. Finally, the degree to which the department can be considered to have had a positive impact on the public health of the Settlement is assessed by analysing mortality rates through the period. Through this study, new light is shed on the shifting patterns of power in Shanghai in this period as they were played out in the field of public health.

Laying the groundwork: the infrastructure of public health

Kerrie MacPherson has traced the early history of public health in the International Settlement and the process which led the initially highly laissez-faire council to take on a growing role in this area through the course of the latter half of the nineteenth century.[6] This change came as a result of the growth of the perceived need for action on public health in Shanghai, as in urban centres in Europe and the USA, which grew out of a greater understanding of the causes of disease. The cholera epidemics which ravaged much of Europe from 1830 to 1847 led to a concerted international effort to tackle public health problems.[7] This in turn influenced European colonial societies as governments were soon held to be responsible for the provision of basic disease prevention measures. Similarly, the first large outbreak of cholera in Shanghai in 1862-3 prompted the Shanghai Municipal

[6] MacPherson, *A Wilderness of Marshes*, p. 99.
[7] Sunil Amrith, *Decolonizing International Health: India and South East Asia, 1930-65* (Cambridge: Cambridge University Press, 2006), p. 5.

Council to expand its role into this area, entailing an increase in its powers. European colonisers were chauvinistic in their confidence that western medical practice was the sole route to improved public health and could therefore be draconian in imposing sweeping legislation to effect change in the standards of public hygiene. More often, however, they were held back by a lack of power or will to expand their authority in this way. As Sunil Amrith explains, the 'desire to know, to classify and to quantify did not correspond to the will or the ability to intervene.'[8] This was certainly true of Shanghai's International Settlement. Moreover, MacPherson stresses that progress in Shanghai was only possible with cooperation between westerners and Chinese, which meant reconciling widely differing views of health and disease.[9] Thus cooperation on public health was key throughout the entire treaty port period.

In 1870 the Watch Committee identified the need for a formal sanitary department to oversee medical work, markets and what was called the 'nuisance department', which sought to ensure the removal of ordure and waste, an issue that caused problems throughout the existence of the council. The Committee presented a memo on the subject to the council which resulted in the appointment of Dr Edward Henderson as the first Medical Officer of Health (part time) in 1871.[10] The decades following Henderson's appointment saw the establishment of municipal markets and a municipal abattoir, which maintained a certain standard of hygiene, and the compulsory licensing of butchers and dairies.[11] A municipal

[8] Amrith, *Decolonizing International Health*, p. 22.
[9] MacPherson, *Wilderness of Marshes*, pp. vii-vii.
[10] U1-16-9-198: J. H. Jordan and C. Noel Davis, 'A Brief History of the Public Health Department', 1 August 1930. The Watch Committee continued to be responsible for the department until 1918, when a separate Health Committee was established.
[11] Jordan and Noel Davis, 'Brief History'.

laboratory was established in 1896 and became one of the major producers of vaccines in China as well as conducting numerous tests, as described below.

The most significant nineteenth-century achievement was the establishment of a clean water supply, in keeping with concurrent developments in London, Paris and New York. The main supply of water in Shanghai had long been the polluted Huangpu River, which, like the Seine and the Thames, was teeming with waterborne diseases (though to a lesser extent than the rivers of the major European capitals). The council was blamed by many contemporaries for having allowed land developments which filled in drains, and for replacing efficient Chinese drainage systems with sewers which bore waste directly into the waterways.[12] It finally entered into negotiations with the Shanghai Waterworks Company in 1880, having decided a private venture was preferable to public ownership, and a state-of-the-art network of mains and hydrants was fully operational by 1883. The waterworks underpinned the public health of the city for many decades, although, unlike the French *Conseil municipal*, the SMC did not pay for Chinese to have free access to water hydrants, so Chinese uptake of the comparatively expensive clean water supply was incomplete.[13] Care for the Settlement's poorer Chinese residents was not considered as important as ensuring the foreign community could access unpolluted water.[14]

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[12] MacPherson, *Wilderness of Marshes*, pp. 78-80.

[13] In 1932 the Health Committee considered a suggestion that free water should be supplied to the poor through water hydrants near 'beggar villages'. The members approved the idea in principle but recommended no action be taken, on the basis that five to ten per cent of Chinese chose to use water from wells despite access to Waterworks water, and other factors were more significant than water supply in the prevention of cholera. U1-1-124: Health Committee, 30 June 1932.

[14] Chinese were suspicious of piped water so slow uptake was not solely based on economic factors. See Hanchao Lu for an account of the kinds of concerns residents of Shanghai in the 1880s shared with those of Chengdu in the 1950s when piped water was first introduced. Hanchao Lu, 'The Significance of the Insignificant: Reconstructing the Daily Life of the Common People in China', *China: An Interdisciplinary Journal*, Vol. 1, No. 1 (Spring 2003), pp. 145-8.

The quality of the water was, however, subject to doubt: the Health Committee was informed in 1918 that the water was 'of fair quality' but 'could not be considered a really good water' as compared to that provided in cities such as Manchester, London or Calcutta.[15] Significantly, the points of reference for council activities were metropolitan Britain and that exemplar of the British Empire: India. Although the supply of safe water undoubtedly underpinned the fundamental health of the residents of the Settlement, it was nevertheless considered inferior to that which the British and other foreign communities would have expected in the municipalities of their home countries or even in the formal British empire. In the constant comparisons foreigners made between Shanghai and 'Home', 'Home' represented an almost mythologized ideal, to which the SMC aspired but which it was not in reality expected to attain.

Expectations for what could and should be provided in Shanghai were lower than those in Europeans cities of comparable size and prominence, or in Indian cities such as Calcutta, owing to assumptions about the nature of the Settlement. John Carroll has identified an attitude that remained prevalent in Hong Kong until much later in the twentieth century, that Chinese had come to the colony voluntarily and therefore 'neither expected nor deserved much from the colonial government.'[16] Quoting G. B. Endacott, he notes that '"the unspoken assumption was that Asians, and in particular the Chinese, were not forced to come to Hong Kong, and if they did so that was their own affair and they must accept conditions as they found them."'[17] In the case of Shanghai, particularly prior to the

[15] U1-1-123: Health Committee, 17 June 1918.
[16] John Carroll, 'A National Custom: Debating Female Servitude in Late Nineteenth-Century Hong Kong', *Modern Asian Studies*, Vol. 43, No. 6 (November 2009), pp. 1492-3.
[17] G. B. Endacott, *Hong Kong Eclipse*, ed. by Alan Birch (Hong Kong: Oxford University Press, 1978), p. 320, quoted in Carroll, 'A National Custom', p. 1493.

1920s, such an assumption went beyond Asians to encompass all poorer residents of Shanghai: the council did not consider itself duty-bound to provide welfare for anybody, Chinese or European, as all had come to the Settlement of their own volition to benefit from the commercial opportunities the city afforded. The council's role was simply to promote those opportunities. Indeed, as late as 1939 the Treasurer reiterated to the Finance Committee the council's position of assuming no responsibility for poor relief.[18]

Illustrating this point, the Secretary to the council, in correspondence with the Health Officer in 1905, corrected a misapprehension that the SMC's motivation in its negotiations with the Waterworks Company was based on concern for the public health, saying 'The Waterworks Agreement, except in the one particular which I have referred to you, is *by no means a public health matter*; its details are purely financial, engineering and commercial.'[19] The 'one particular' in question was whether the agreement should include provision for a minimum standard for the bacterial purity of the water, which was set by the Health Officer, Arthur Stanley. The negotiations over this agreement, which revised the original terms for the Waterworks Company, betray the priorities of the council and the way these restricted public health provision: the municipal finances came first in this city of commerce. Stanley could only grasp opportunities where he could to achieve public health benefits without placing too much of a burden on the public purse.

Although the Shanghai Waterworks was a private company, the SMC regulated prices for water as it did for other public utilities, keeping costs low for the benefit of both businesses and consumers. As was common practice in Great Britain, water bills were paid by landlords and no restriction was imposed on the consumption of water, again benefitting

[18] U1-1-63: Finance Committee, 5 July 1939.
[19] U1-1-306: Secretary, J. O. P. Bland, to Health Officer, Arthur Stanley, 1 February 1905, emphasis added.

residents.[20] The council's involvement in the companies could, however, be detrimental to customers: Xing Jianrong argues that the council always supported the utilities companies,[21] including the waterworks, and their interests were tied to the extent that the SMC was a major shareholder in such firms.[22] In support of Xing's argument, the SMC pursued a long-term strategy to gain control of the Shanghai Waterworks Company. In 1916 it bought the entire new issue of shares in the Company, and its holdings were sufficient to nominate two members to the board of the company.[23] Then in 1924 the SMC sought to buy out the company and run it as a municipal concern to resolve long-running disputes over its perceived neglect of consumer interests. When a price could not be agreed, the council pressed for a revision of the terms of the company's agreement, which had last been settled in 1905, and emphasised the need 'to substitute the interests of the consumer for those of the shareholder as the chief incentive for the affairs of the Company being conducted on the most economical lines.'[24] In keeping with the council's preoccupation with economy, this provision was listed third in a letter from the acting secretary to the manager of the company, beneath the priorities of aligning the company's and the council's interests and of ensuring adequate returns for shareholders. But it still demonstrates that the council was concerned about residents as well as returns.

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[20] U1-1-56: Finance Committee, 11 June 1903.

[21] Xing Jianrong, *'Shui, dian, mei'*, p. 100. Xing Jianrong is Director of Research at the Shanghai Municipal Archives, so benefits from extensive access to archival materials but naturally adheres strictly to the officially accepted historical standpoint as the occupier of such a senior position.

[22] The SMC was able to negotiate favourable terms for the purchase of shares in the Waterworks Company, and by 1913 its holdings were worth £28,700. U1-1-57: Finance Committee, 24 June 1913. As noted in Chapter Two, the expansion of public utilities provision beyond the limits of the settlement was accompanied by demands for taxation by the SMC, and when such special rates were unpaid, companies were ordered to halt supply. When Chinese firms attempted to compete with the municipally-supported monopolies, they were effectively opposed by the International and French councils.

[23] U1-1-58: Finance Committee, 9 November 1916; U1-1-59: Finance Committee, 8 October 1920.

[24] Memo attached to E. S. B. Rowe, Acting Secretary to Council, to F. B. Pitcairn, Engineer-in-Chief & Manager, Shanghai Waterworks Co., 3 April 1924, published in *Municipal Gazette*, 8 April 1924, pp. 145-6.

Assuming greater responsibility for public health

Whereas in the earlier days of the Settlement the council considered its responsibilities in regard to public health to be confined to the provision of rudimentary infrastructure and control of infectious diseases through limited use of quarantine, from the turn of the century it took on an increasing role in providing health services. These developments came under Dr Arthur Stanley during his tenure as the council's first full-time Health Officer from 1898 until 1922. The council then added to the existing private charitable hospitals by establishing municipal isolation hospitals for Chinese in 1900 and for foreigners in 1904. These provided for the treatment of infectious diseases under the direction of the council. More markets were built and powers of inspection were extended, though efforts to secure much greater powers through amendments to the byelaws failed in 1903 and in subsequent years. Measures were taken to reduce the breeding grounds of flies and mosquitoes, focusing on raising public awareness of the issue due to the lack of powers to order the compulsory filling in of pools of stagnant water.[25] The link between mosquitoes and malaria had only been conclusively established by Ronald Ross in India in 1897 (earning him the Nobel Prize for Medicine in 1902).[26] Stanley was thus deploying the latest developments in medical science in attempting to limit the breeding grounds of the parasites. There was popular opposition to some of these measures, but letters sent to the council in later years from Chinese complaining about unsanitary conditions in shops and

[25] This echoed work done by Americans in Panama targeting mosquito breeding grounds in a crusade against yellow fever, following experiments by American doctors in Cuba which established the link between mosquitoes and the disease. Alexandra Minna Stern, 'Yellow Fever Crusade: US Colonialism, Tropical Medicine, and the International Politics of Mosquito Control, 1900-1920', in *Medicine at the Border: Disease, Globalization and Security, 1850 to the Present*, ed. by Alison Bashford (Basingstoke: Palgrave Macmillan, 2006), pp. 41-59.

[26] Gordon Harrison, *Mosquitoes, Malaria, and Man: A History of the Hostilities since 1880* (London: John Murray, 1978), pp. 73-77, 107-108.

demanding action by PHD health inspectors suggest a more favourable public reception of these efforts, at least among the literate classes.[27]

The most significant structural change to the PHD came in 1912 when branch health offices (BHOs) were established in sixteen newly designated districts, to increase direct interaction between the council's health personnel and the Chinese in the Settlement. The council made a virtue of the fact that they existed almost solely to serve the Chinese community,[28] even though foreigners were indirectly served by any reduction in disease among their Chinese neighbours. BHOs operated annual vaccination drives and promoted general hygienic practices through disseminating literature and holding public lectures. SMC campaigns promoting proper waste disposal and against spitting in the street, for example, were enacted mainly through the BHOs. These campaigns, as well as the success of vaccination drives, were reported in *Shenbao* and other newspapers, suggesting a degree of public awareness among the consumers of print media.[29] The SMC was not the only body to promote public health education: the YMCA was particularly active in producing awareness-raising literature on hygiene issues for public consumption, and was taken as a model by the Chinese Government of Greater Shanghai in its campaigns from 1928.[30] In 1916 the YMCA cooperated with the Chinese Medical Missionary Association and the National Medical Association to form the Council on Health Education, which

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[27] SMA U1-16-12-268. Complaints were received, however, from shopkeepers protesting at the regulations. U1-1-89: Watch Committee, 9 March 1928.

[28] Feetham, *Report*, Vol. II, p. 50.

[29] See, for example, '工部局衛生處張貼禁止隨地吐痰，並置痰盂' (*Gongbuju weishengju zhangtie jingzhi suidi tutan, bingzhi tanyu*, 'The Public Health Department of the SMC is issuing handbills prohibiting casual spitting and promoting the use of spittoons'), *Shenbao*, 1 April 1924, p. 11; '工部局衛生處佈告取締任意傾倒垃圾' (*Gongbuju weishengju bugao quid renyi qingdao laji*, 'The Public Health Department of the SMC has issued prohibition of the arbitrary dumping of waste'), *Shenbao*, 30 April 1924, p. 13; '租界人口死亡率' (*Zujie renkou siwang lü*, 'The Death Rate in the Settlement'), *Shenbao*, 14 January 1932, p. 15.

[30] Chieko Nakajima, 'Health and Hygiene in Mass Mobilization: Hygiene Campaigns in Shanghai, 1920-1945', *Twentieth-Century China*, Vol. 34, No. 1 (November 2004), pp. 45-7.

disseminated information through posters such as that in Figure 12 and through other means. The SMC was one of a number of sources of public health information for residents of Shanghai, but was the most consistent supplier of such information over the period under study.

Figure 12. Example of poster promoting smallpox vaccination, produced by the Council on Hygiene Education (*Zhonghua weisheng jiaoyuhui*).[31]

The branch health offices formed the face of the PHD to the public and it seems that in general the public responded well, attending the regular health lectures and queuing at BHOs for free smallpox vaccinations in their thousands (58,213 were vaccinated by the SMC in 1929, for example, of whom over 56,000 were Chinese).[32] Not all these were residents of the Settlement: investigation in 1928 found that half the recipients of free vaccinations in a northern sub-district of the Settlement lived in Zhabei, north of the

[31] *The Rotarian* (September 1926), p. 42.
[32] Jordan and Davis, 'A Brief History'.

Settlement, where doctors were said to over-charge and use old and ineffective vaccines.[33] The BHOs continued to promote vaccination, however, and the policy had a significant impact: by 1930 just 46 cases were admitted to the municipal Chinese Isolation Hospital, of whom 13 died. Many of those who survived were young adults who had been vaccinated and so contracted a less severe form of the disease.[34] Increasing the uptake of vaccinations had meant overcoming strong suspicion of the vaccination on the part of the majority of Chinese in earlier decades,[35] and what was reported to be a widespread preference for the traditional method of inoculation against smallpox.[36] The council claimed that it was its own campaigns which had achieved this change in attitude.[37] These and other campaigns by such organisations as the Council on Public Education were arguably, however, simply a contributing factor in the broader picture of the acceptance of western medical practice in urban centres in China as part of the process of modernisation, as traced by Ruth Rogaski.[38] Whatever the role of council propaganda in promoting vaccination, the SMC was a pioneer in the provision of free vaccinations in Shanghai, decades ahead of such provision being possible for the Chinese municipality. This suited the council's self-perception as the sole provider of adequate modern public health measures, in contrast with the perceived lack of

[33] SMA U1-16-9-200, V. Ribbons, Inspector, 4th Northern Sub-district, 'Report on Investigation of Free Vaccines in Chapei', 11 December 1928. The rising rates of uptake of the free vaccines and falling number of cases have been carefully documented by Luo Suwen: *Jindai Shanghai*, p. 38. There were also concerns that not all the recipients of free vaccination were deserving: some were thought to find it easier to visit their local BHO rather than make an appointment to see a private doctor, even though they could afford to pay. SMA U1-1-126: Health Committee, 21 November 1938.

[34] SMA U1-16-9-199.

[35] There was corresponding opposition to vaccination in Britain. Nadja Durbach, *Bodily Matters: The Anti-Vaccination Movement in England, 1853-1907* (Durham, N.C.: Duke University Press, 2005).

[36] This involved nasal inhalation of skin cells from diseased pox, and had a mortality rate of up to two per cent (preferable to the 30 per cent mortality rate of smallpox) as well as rendering the inoculated individual infectious to others. Alan D. T. Barrett and Lawrence R. Stanberry, *Vaccines for Biodefence and Emerging and Neglected Diseases* (London: Academic Press, 2009), p. 696.

[37] The council advertised the availability of free vaccinations in the press as well as posters. For example, see the leading piece of the *Municipal Gazette*, Vol. XXIV, No. 1330, 9 October 1931, p. 427.

[38] Rogaski, *Hygienic Modernity*, pp. 225-253.

provision by the Chinese authorities. The high uptake of the free vaccinations, moreover, suggests that the BHOs were successful in implementing PHD goals in the local community. But SMC claims to be ahead of the rest of China in this area were somewhat exaggerated, Canton and Tianjin, for example, both enjoying vaccination programmes at similar periods.[39]

Dr C. Noel Davis succeeded Stanley as Commissioner of Public Health and held the post for the rest of the 1920s. Six divisions within the department – Administration, Laboratories, Hospitals, Food, Sanitation, and the School Medical Service – operated from a combined budget of, in 1930, 848,040 taels, of a total municipal budget of 12.7 million taels for ordinary expenditure.[40] As shown in Figure 13, this compared with 5.4 million taels budgeted for the Shanghai Municipal Police and 3.8 million for the Public Works Department, so health was far from top of the municipal priorities. In this, as in so many other areas, the SMC was very much like colonial governments: Megan Vaughan has demonstrated the extent to which British colonial authorities in Nyasaland were uninterested in investing in public health, devoting just four pence per head to public health provision in 1921.[41] Financial constraints were ever-present for the public health department, although its budget increased significantly in later years as municipal expenditure rose, and also increased somewhat as a percentage of total municipal expenditure, as shown in Table 4.

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[39] Vaccination was introduced by American missionary doctors to Canton. Guangqiu Xu, *American Doctors in Canton: Modernization in China, 1835-1935* (New Brunswick, N.J.: Transaction, 2011), p. 246. In Tianjin, free vaccination was offered in the late nineteenth century in a clinic established by a Chinese salt merchant with no foreign involvement. Rogaski, *Hygienic Modernity*, pp. 71-72.

[40] SMC, *Report for 1930.*

[41] Megan Vaughan, 'Health and hegemony: representation of disease and the creation of the colonial subject in Nyasaland', in Shula Marks and Dagmar Engels (eds.), *Contesting Colonial Hegemony: State and Society in Africa and India* (London: British Academic Press, 1994), pp. 188-89.

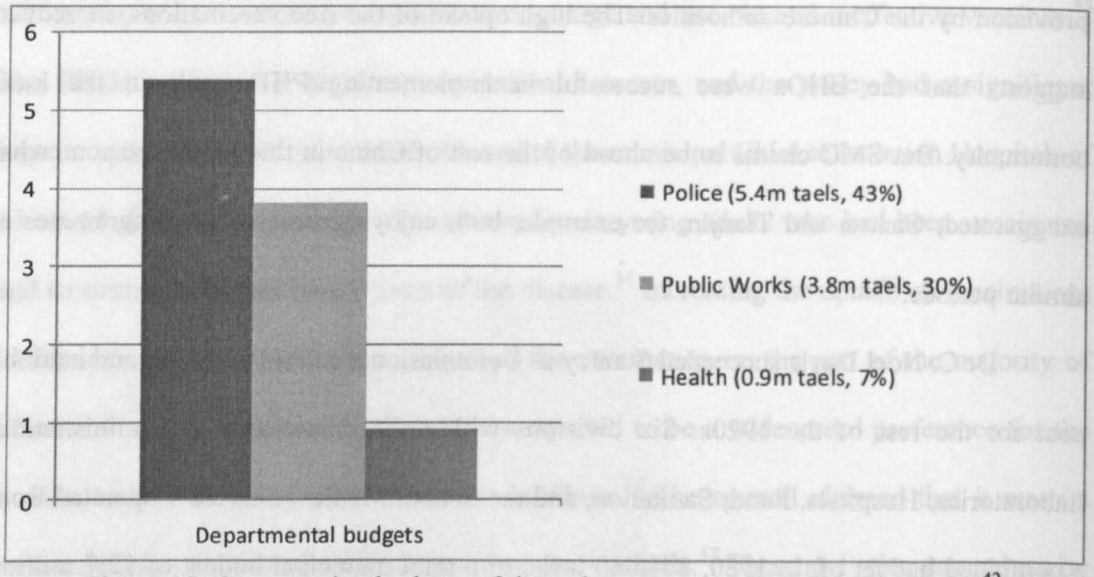

Figure 13: Comparative budgets of three departments of the SMC for 1930.[42]

	1910	1920	1930
Public Health Department expenditure (to nearest 10,000)	Tls. 160,000	Tls. 39,000	Tls. 1,340,000
PHD expenditure as percentage of total municipal expenditure	7.3%	8.2%	10.0%

Table 4: Public Health Department expenditure.[43]

Many decisions concerning public health were taken for economic reasons. In 1908 the Watch Committee recommended that Stanley's report on the prevalence of plague among rats and the first confirmed human case in the Settlement should not be published because it would affect the trade of the port.[44] A glass roof was installed in a municipal market because it would increase the number of sellers working there and thus boost the department's revenues from license fees.[45] When discussing whether or not to move the location of the foreign isolation hospital, S. J. Halse, a member of the Health Committee,

[42] SMC, *Report for 1930.*
[43] SMC, *Reports for 1910, 1920* and *1930.*
[44] U1-1-82: Watch Committee, 21 December 1908.
[45] U1-1-123: Health Committee, 4 August 1923.

urged that it be decided on the basis that it was 'a good business proposition', as the sites of the old isolation hospital and Victoria Nursing Home could be sold for considerable sums, rather than thinking of it being for the good of patients.[46] Stanley was praised for 'his very economical administration of the health department' and a report was submitted by his successor, Davis, on 'the increased earning power of the Health Department', in terms of license fees and charges for laboratory and other services.[47]

Yet under Dr J. H. Jordan, Davis's successor as Commissioner of Public Health, there is evidence of a shift away from this preoccupation with economy, as spending by the department increased more and more in real terms and as a proportion of municipal expenditure. In disputes with the Treasurer over the allocation of resources, Jordan sometimes prevailed, such as in 1936 when he insisted that the milk supplied to the council for consumption in its hospitals be Grade A T.T. (tuberculin tested) milk, even though this would cost 4,310 dollars more than the standard Grade A quality. He argued that the council must take a lead in encouraging the members of the community to buy the safest milk on the market, which was available precisely because his department had pushed local dairies for its production.[48] This was the same year that the matter of T.T. milk was first raised in the House of Commons in London, when Mr James de Rothschild enquired of the Under-Secretary of State for War whether the milk supplied to soldiers in the British Army was of this quality.[49] The SMC was keeping pace with developments in Britain. Despite

[46] U1-1-123: Health Committee, 14 June 1920.
[47] U1-1-123: Health Committee, 12 August 1921 and 9 February 1922.
[48] U1-1-62: Finance Committee, 28 October 1936.
[49] Hansard HC debate 10 March 1936, Vol. 309, pp. 1053-54, http://hansard.millbanksystems.com/commons/1936/mar/10/milk-supply#S5CV0309P0_19360310_HOC_157, accessed 14 January 2011.

such concessions, however, the commissioners of health constantly came up against the wall of limited finances.

Limited powers

In addition to budgetary constraints, the Public Health Department was restricted in its work by the legal limitations on the council's powers to enforce compliance with public health regulations. The council's authority rested on the Land Regulations, effectively a constitution for the International Settlement. They were first drawn up by the Chinese authorities in 1845 to govern the newly established English Settlement, and later revised to expand the council's authority in consultation between the SMC and the consular body in Shanghai and approved by the diplomatic body in Peking in 1854, 1869, and finally in 1899.[50] Each revision had to be passed by a vote of the ratepayers, and also required the approval of the Chinese authorities in Shanghai (represented in the person of the Daotai or intendant) and Beijing, though this step was overlooked in 1869.[51] The difficulty posed by this complex process of seeking approval from so many layers of authority, coupled with growing Chinese dissatisfaction with the foreign presence, meant it was never possible in the twentieth century to make any further changes to the regulations. Efforts therefore concentrated instead on adding or adapting byelaws which could give the council certain extensions to powers already conferred by the Land Regulations. Byelaws required only local approval, by the consular body and the ratepayers, though the latter were conservative

[50] See Godfrey E.P. Hertslet (ed.), *Hertslet's China Treaties: Treaties etc., between Great Britain and China; and between China and foreign powers* ... (3rd ed., London: HM Stationary Office, 1908), Vol. II, pp. 664-687, 746-9. The confirmation of the 1899 Regulations included the previous Land Regulations of 1869, which had never been formally agreed by the Chinese authorities, as well as three additional powers for the Council.
[51] Feetham, *Report*, Vol. I, p. 59. The Chinese magistrates of Shanghai's Mixed Court appeared to assume that the Daotai's proclamation upholding the authority of the Land Regulations in 1855 would apply to any such regulations.

by inclination and disengaged by nature: on several occasions they either rejected proposed new byelaws or simply failed to turn up in sufficient numbers for the meeting to reach the quorum of one third of qualified voters.

The prevention of infectious diseases was one area in which stronger measures than those provided for in the Land Regulations and existing byelaws were needed. An attempt to add new byelaws enforcing preventive measures failed in 1903 and again in 1906, due to the lack of a quorum at special ratepayers' meetings both years, but when plague threatened the Settlement strong action was taken. The first human case of plague was confirmed in 1908 and early the following year Stanley implemented preventive measures based on the latest aetiology: rats were trapped by PHD staff wherever possible; notices were posted in Chinese promoting cat ownership; Chinese houses were lime-washed after the owners were notified; and the department offered a rat-proofing service for the homes of Chinese and foreigners at the home-owners' expense.[52] The way in which rats and their fleas acted as carriers of plague was only established in 1908, thanks in part to work by colonial doctors in India, so Stanley was again implementing the most up-to-date scientific methods in Shanghai.[53] Complaints were received from Chinese residents, however, about the forceful manner in which their houses were being disinfected and rendered rat-proof.[54] The Health Officer reiterated the need for tact and attributed the majority of complaints to the inability of one member of his staff to communicate with the householders directly in Chinese, therefore having to use a Chinese foreman as a translator and leaving room for misunderstanding. Study of the Shanghai dialect had been made compulsory in the

[52] Feetham, *Report*, Vol. 1, p. 59.
[53] David Arnold, *Colonizing the Body: State Medicine and Epidemic Disease in Nineteenth-Century India* (Berkeley: University of California Press, 1993), p. 210.
[54] SMA, U1-1-83, Watch Committee, 20 April 1909.

department in 1906,[55] and had evidently yet to take full effect. The Watch Committee observed that no proof had been found to support allegations of extortion, but the fact that such accusations were made demonstrates the deep unpopularity of the enforcers of measures for the prevention of plague. The council was failing to take Chinese opposition to the plague prevention measures sufficiently seriously in its zeal to combat plague in accordance with the latest methods.

Amrith notes that 'colonial states only mobilised their medical police at moments of crisis and emergency, and particularly in response to epidemic disease',[56] and semi-colonial Shanghai followed the same pattern. In 1910 fear enveloped Shanghai as plague spreading from Mongolia devastated much of China.[57] The Watch Committee was called to a special meeting in October to discuss the action to take after a Chinese victim of plague died in the northern district of the Settlement. The members emphasised that prevention measures must be taken with 'tact and discretion' towards Chinese, but laid out steps which anticipate the animosity to follow: police assistance was to be employed if Dr Moore, the acting Health Officer, found it necessary in enforcing preventive measures; segregation would be voluntary 'in the first place' but with the clear expectation that enforced quarantine could follow.[58] The committee asserted that no action should be taken beyond Settlement limits 'for the present', which again implies that such interference could occur later on. Indeed, they authorised a letter to the consular body requesting the senior consul to inform the Daotai of the council's plague prevention measures and advising 'that the work of the

[55] Jordan and Davis, 'A Brief History'.
[56] Amrith, *Decolonizing International Health*, p. 22.
[57] See Carol Benedict, *Bubonic Plague in Nineteenth-century China* (Stanford: Stanford University Press, 1996), pp. 155-159.
[58] U1-1-83, Watch Committee, 27 October 1910.

Department be not impeded by the authorities in Chapei'.[59] The council did not see the Settlement's limits as the limits of its sphere of influence, and public health was certainly no exception.

Opposition to the council's invasive methods was fierce. The Mixed Court Magistrate, Pao Yi, wrote to the British Ambassador advising that riots could follow if the council's actions were not accompanied by greater caution and leniency.[60] Sure enough, the day after he wrote street protests broke out. David Landale, Chairman of the council, replied via the Senior Consul that while he appreciated the need for tact in handling the situation, the experience of other cities warned 'that an exodus of residents and a consequent serious depression of trade is one of the certain effects of this devastating malady.' He went on:

> The prosperity of this, the principal port of the Far East, is entirely dependent upon uninterrupted commerce. When its continuity is jeopardised by an imminent danger such as this, it becomes the imperative duty of the Council, and the community in its own interests, to leave no precaution untried in order to arrest it.[61]

Once more, the principal role of the council of creating an environment conducive to business is emphasised. The council therefore proposed new byelaws for more extensive plague prevention measures, adapted and scaled back from those drawn up but not implemented in 1903. The new proposals met with objection from local guilds and others

[59] U1-1-83, Watch Committee, 27 October 1910.
[60] Pao Yi to British Ambassador, 10 November 1910, as published in *Municipal Gazette*, 18 November 1910.
[61] David Landale to Sir Pelham Warren, 16 November 1910, as published in *Municipal Gazette*, 18 November 1910.

as too far-reaching in their powers.[62] The ratepayers agreed with these objections and passed a resolution tabled by a ratepayer to limit the application of the powers to combating plague alone rather than including other infectious diseases.[63] Landale therefore replied to the guilds that their request had been met and accepting their offer of cooperation, inviting them to nominate a committee to consult with the council on its next step.[64] The council thus had better success cooperating with Chinese commercial elites than with the Daotai, who wrote criticising the new byelaws. He deprecated the introduction of measures hitherto unknown in China, including the reporting of cases of infectious diseases to the Health Officer (which Stanley and his fellow medical doctors regarded as crucial), the obligation to remove articles belonging to infected persons for fumigation, and setting a minimum space requirement in residences of 40 square feet per person.[65] The power to demolish the houses which were declared dangerous by the Health Officer owing to the presence of plague victims was naturally deeply resented by residents and came in for strong censure from the Daotai.

Similar strong measures against plague in the Cape Colony a few years earlier, stressing the need for physical changes in the living environment of non-whites to prevent disease, have been used by Maynard Swanson and others after him to demonstrate the hardening of racial attitudes in pre-Apartheid South Africa.[66] That the SMC attempted similar tactics illustrates the racism that informed its policy decisions, and this is certainly

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[62] Representatives of Shanghai guilds and other bodies to the Chairman of the Council, 13 November 1910, *Municipal Gazette*, 18 November 1910.
[63] *Municipal Gazette*, 18 November 1910.
[64] Landale to Chow Tsing-Piao, the members of the Shanghai Guilds and other signatories, 17 November 1910, *Municipal Gazette*, 18 November 1910.
[65] Translation of letter from Daotai Liu Yen-Yi To to Sir Pelham Warren, 13 November 1910, in *Municipal Gazette*, 18 November 1910.
[66] Maynard W. Swanson, 'The Sanitation Syndrome: Bubonic Plague and Urban Native Policy in the Cape Colony, 1900-1909', *Journal of African History*, Vol. 18, No. 3 (1977), pp. 387-410.

the conclusion that Hu Cheng (胡成, Professor of History at the University of Nanjing) has drawn.[67] Yet later measures to prevent the spread of disease by the Nationalist government in Shanghai, particularly during the New Life Movement from 1934, were also highly intrusive.[68] Vaccination drives involved teams of health workers stopping rickshaw pullers, demanding evidence of vaccination against cholera, and if none could be produced, forcing them to undergo vaccination.[69] The SMC's response to plague was draconian and based largely on racist ideas of 'unsanitary Chinese', but the council was not unique in taking heavy-handed action in the name of public health, and for justifying such action by claiming superior understanding of public health needs to the ignorant masses. David Arnold describes how the colonial government in India was under international pressure, particularly from London, to try to prevent the spread of plague beyond India and therefore acted against it with unprecedented interventionism, until, as in Shanghai, popular protest forced the authorities to end the most coercive measures of house and body searches, compulsory segregation and hospitalisation, and the use of troops.[70] Arnold argues that by 1900 'it became axiomatic that force was counter-productive', but unfortunately the authorities in Shanghai and elsewhere did not heed this lesson from India and had to learn from their own mistakes.[71]

The Daotai, like the SMC, saw the protesting Shanghainese as ignorant, but used this to urge caution on the part of the council for fear that they could be easily whipped up

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[67] Hu Cheng, 'The Image of the "Unsanitary Chinese"', pp. 1-43; 'Quarantine, Race and Politics in the International Settlement', pp. 74-90.
[68] It is also worth noting that there was precedent for the use of intrusive inspection measures in the attempts to improve the sexual health of prostitutes, as discussed on pp. 33-4.
[69] Nakajima, 'Health and Hygiene', p. 68.
[70] Arnold, *Colonizing the Body*, pp. 203-206, 211-234.
[71] Arnold, *Colonizing the Body*, p. 236.

into a fury. He knew how to frame his criticism of the council's proposals to best effect in light of the SMC's primary purpose of facilitating trade: he threatened that if the council persisted in its plans, 'the Chinese will have to leave the Settlement with their businesses, with very serious effect on Chinese and foreign trade.'[72] But he differed from the council on a fundamental principle by arguing that municipal byelaws could not be binding on Chinese citizens: a denial of the extraterritorial rights that lay at the heart of the existence of the Settlement. In response, Landale wrote to the Senior Consul that Pao Yi appeared to misunderstand the basis of the council's legislative powers. The Daotai's objections were based on an assumption that the new plague measures would be simple municipal regulations such as those issued from time to time for police and other matters. In fact, byelaws when approved by the ratepayers and consular authorities would carry the full weight of the legal rights conferred by treaty with the foreign powers and would therefore be legally binding on all residents, foreign and Chinese.[73] The Daotai would have rejected this broad claim to jurisdiction, but the vagaries of the Settlement's legal status left it open to interpretation on both sides.

While the objections raised by the Daotai were rejected by the council, the ratepayers responded to the petitions published by the Chinese guilds and associations of the Settlement, and the byelaws they passed were more limited in scope than Stanley and the council had hoped. The emphasis therefore continued to be on education and persuasion, with, in the health commissioners' own words, only 'occasional acts of "benevolent despotism"'.[74] The PHD set up a plague barrier on the northern border of the Settlement, in

[72] Daotai Liu to Sir Pelham Warren, 13 November 1910.
[73] Landale to Pelham Warren, 16 November 1910, in *Municipal Gazette*, 18 November 1910.
[74] Jordan and Davis, 'A Brief History'.

keeping with efforts in Australia and elsewhere to contain infection within physical borders. In 1911 residents of Haining Road petitioned for the removal of this plague barrier, citing damage to their businesses. Stanley believed they had been inspired in their petition by the authorities in Zhabei and the Watch Committee decided to leave the barrier in place at least until the Chinese authorities admitted the council's right to police half the road.[75] The fact that Stanley thought the barrier should remain as an effective public health measure was of secondary importance to the assertion of the council's political position. When plague again threatened the Settlement in 1918, the byelaws were found to be insufficient as, due to the revision tabled at the ratepayers' meeting, they applied only to bubonic plague, whereas the threat was from pneumonic plague, and they provided only for the isolation of actual cases, not of contacts as was needed to prevent plague identified at Nanjing from reaching Shanghai.[76] The council's limited ability to legislate due to its ambiguous legal status was a long-term problem for the public health department, but one which it circumvented by insisting on the powers the council had established and on its claim to a higher scientific rationale for its actions.

[75] U1-1-83: Watch Committee, 16 October 1911.
[76] U1-1-123: Health Committee, 20 March 1918.

The Municipal Laboratory and medical research

Warwick Anderson has described the colonial medical laboratory as 'a delibidinized place of white coats, hand washing, strict hierarchy, correct training, isolation, inscription – in short, a place of semantic control and closure, organized around the avoidance of contamination', and thus 'the exemplary locus of colonial modernity.'[77] This overstates the case, yet in the present study of the nature of semi-colonial authority in Shanghai it is appropriate to investigate the role of concepts of science and modernity in the image and self-perception of the SMC and its departments, employees and rate-paying community. The late nineteenth and early twentieth centuries were the heyday of western scientific self-confidence, as medical science in particular made significant progress and great faith was placed in rationality. David Arnold has traced the way in which developments such as the contributions of Louis Pasteur and Robert Koch to the new field of bacteriology from the 1860s to the 1880s ushered in a new age of what David Arnold calls 'curative confidence'.[78] In a colonial context, as such developments came from Europe, this confidence corresponded to European medical chauvinism.

Stanley described the municipal laboratory as 'the brain ... of the Public Health organism'.[79] In doing so, he was proudly proclaiming the modern, scientific nature of his department, which was part of a broader effort to raise its profile in the hope of gaining ratepayers' support for an increase in its staff and budget. In 1909, when he wrote these words for the council's annual report, the PHD was working hard to prevent the spread of

[77] Warwick Anderson, 'Excremental Colonialism: Public Health and the Poetics of Pollution', *Critical Inquiry*, Vol. 21, No. 3 (Spring 1995), p. 652.
[78] Arnold, 'Introduction', p. 12 and p. 12, n. 53. Alison Bashford cautions, however, that this development is better described as characterised by 'diagnostic confidence' only. Alison Bashford, comments given privately, 12 November 2011.
[79] Arthur Stanley, 'Health Officer's Report', in SMC, *Report for 1909*, p. 107.

plague from rats to humans in the Settlement. The laboratory tested no fewer than 17,364 rats, of which 187 were found to be infected with plague.[80] These were spread throughout the Settlement, but were particularly concentrated in the northern area near the border with Zhabei (see Figure 14). Stanley therefore attributed the blame to a lack of action by the Chinese authorities, a problem which could only be solved, he argued, by an extension of the Settlement.[81] Fear of plague was thus exploited in support of political aims and to bolster the scientific image of the public health department with a view to encouraging support for increased funds in the perennially tight budgetary environment of the council.

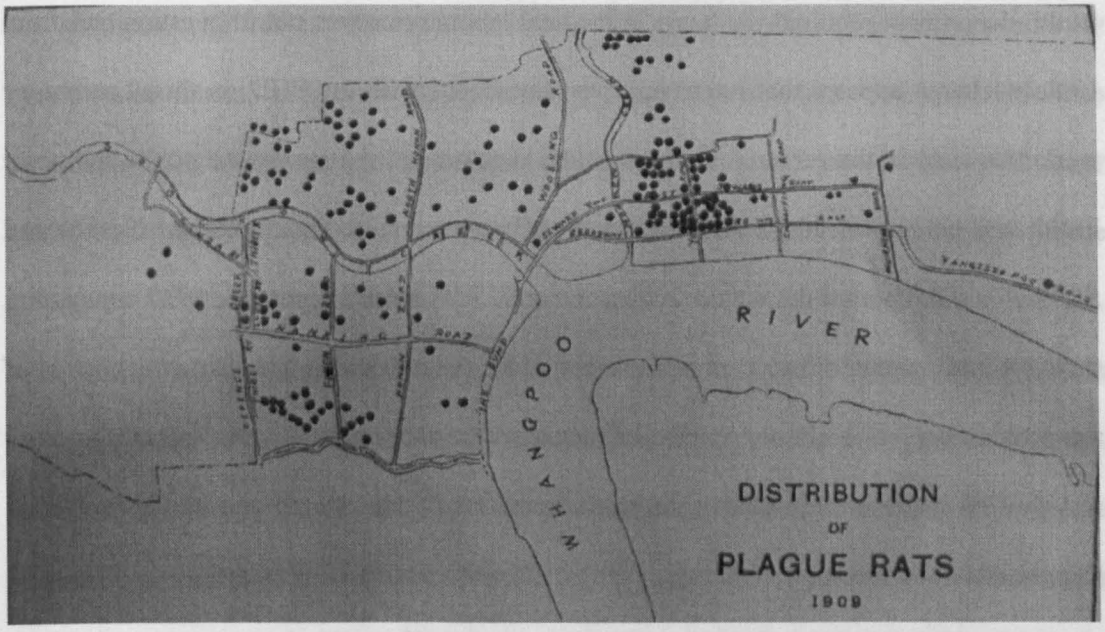

Figure 14: Chart showing the distribution of plague-infected rats found in the International Settlement. Zhabei is the area to the north-west of the settlement boundary.[82]

[80] Stanley, 'Health Officer's Report', in SMC, *Report for 1909*, p. 123.
[81] Bickers, *Scramble for China*, pp. 364-5.
[82] *SMC, Report for 1909*, p. 125.

The SMC and its ratepayers valued the laboratory work of its PHD very highly. In 1917 Edward Little wrote to the Watch Committee to advocate a large expenditure on scientific research, as the mark of a world-class health department, to which Stanley responded by providing a detailed summary of the scientific work his department had performed in the preceding sixteen years.[83] The committee agreed that such work was important, but replied to Little that no further budgetary allowance should be made for it before the end of the (First World) War and the completion of the new central offices which would provide more accommodation for laboratories. The principle that a modern public health department required the latest in medical laboratories was not in question and from Little's letter it appears that ratepayers were in accord with the PHD on this. Laboratory work was used in the promotion of the health department, reassuring the public that their health was being protected with the best scientific techniques. The *Municipal Gazette* and *Shenbao* alike reported the data provided in the SMC's annual report for 1920 concerning the increased number of rats captured and tested for plague, and emphasising the horrors of the disease to press home the important nature of the laboratory's work.[84] The laboratory was thus an important element in the public relations of the council and its Public Health Department.

On the completion of the council's new central offices, the department boasted both a pathological and a chemical laboratory. Their work included the examination of water, milk and ice-cream for sale in the Settlement to check their safety for consumption, as well as testing to determine cases of infection, including the testing of rats for plague, dogs for rabies, and human samples for the diagnosis of myriad diseases. Such samples were sent to

[83] U1-1-86: Watch Committee, 8 October 1917.
[84] For example, *Municipal Gazette*, 19 March 1920, p. 84; *Shenbao*, 10 March 1921, p. 10.

them from private medical practitioners and hospitals in Shanghai as well as municipal institutions. This was far from unique to the settlement at Shanghai: Anderson highlights the more than 7,000 faecal specimens examined in Manila in 1909, rising to 126,000 in 1914 due to a cholera outbreak.[85] The SMC did not keep separate data on faecal specimens, but its laboratories performed between 18,000 and 20,000 examinations per year in this period (Shanghai suffered from no corresponding cholera outbreak), showing the municipal laboratories were at least keeping their own with Manila.[86] Where council laboratories were more unusual in the scope of their activities was in the production of vaccines, particularly for smallpox and rabies, for use throughout China in smaller treaty ports and by missionaries inland, and even further afield in east Asia.[87] Such vaccines were also obtainable from elsewhere in China, such as the Peking Union Medical College in later years, but the SMC remained a significant provider throughout the existence of the laboratory.

Anderson's characterisation of the Philippines in the early twentieth century seems an extreme case of the typical colonial drive to control the physical environment, although the extent to which this was possible in practice is very much open to question. He links the colonial celebration of the ultimate sanitary environment of the laboratory to his broader thesis that colonial authorities in the Philippines were obsessed with trying to eradicate the pollution that was linked in the minds of the colonisers with the indigenous population, as was manifest in a preoccupation with the hygienic disposal of human waste. This was certainly evident in Shanghai, where in the annual report for 1909, Stanley describes in

[85] Anderson, 'Excremental Colonialism', p. 647.
[86] SMC, *Reports for 1909-14.*
[87] J. H. Jordan, 'Report' for R. Feetham, 5 May 1930.

some detail the different ways in which house refuse was removed from the Settlement.[88] Such interest is hardly surprising, however, in a city where untreated refuse constituted a major source of infection, and this work remained important as the activities of the department increased dramatically over subsequent years. The modernity of the Settlement, claimed and celebrated by the council and residents, required that basic sanitation was adequately managed.

The expansion of the research performed by the department sometimes led to criticism of its expense. Justice Feetham, during his investigations in Shanghai, put to Jordan the suggestion by the Chinese health minister Dr Heng Liu that the SMC was wasteful in its spending on laboratories.[89] Jordan bristled at the suggestion, arguing that his laboratories were in fact more economical than comparable centres in the USA, where tests were performed by unqualified laboratory technicians, and the UK, where, as in Shanghai, doctors carried out such tests. He claimed that his department performed the most rigorous tests available and emphasised that their services were, with the exception of examinations for venereal disease, free of charge to those who had paid for them through rates (in the Settlement) or contributions (in the French concession), and inexpensive to other users.[90] This defence was more than the natural desire for a (then acting) head of department to protect his budget: Jordan believed passionately in the importance of employing the latest scientific methods in public health, and laboratory work was key to this. His early work for the council focused on laboratory research due to specialist training he had undertaken

[88] SMC, *Report for 1909*, p. 108. The preferred manner was the collection of night soil for use as fertiliser, a method which was rejected as unsanitary in the Philippines. Anderson, 'Excremental Colonialism', p. 662.
[89] Dr J. Heng Liu held the post of Health Minister from 1929 to 1937, after training at Harvard Medical School and working in the Peking Union Medical College. Ka-Che Yip, 'Health and Nationalist Reconstruction: Rural Health in Nationalist China, 1928-1937', *Modern Asian Studies*, Vol. 26, No. 2 (1992), p. 399.
[90] U1-16-9-198, Jordan to Feetham, 30 July 1930.

before arriving in Shanghai, and in 1925 he was appointed Chief Pathologist,[91] so the emphasis on the laboratories during his tenure as Commissioner of Public Health is unsurprising.

Jordan's interest in medical research was not unusual among colonial health officers: David Arnold, in his work on the Indian Medical Service, found that the opportunity to research tropical medicine was offered as 'bait' to potential recruits, although Douglas Haynes cautions that for most the attraction of imperial service was rather that often no additional training or specialism was required.[92] It remained true, however, that men like Jordan (and Patrick Manson, the 'father' of the study of tropical medicine who began his career working as a medical officer to the Chinese Imperial Maritime Customs in Taiwan) were aware that they would have more chance of making their mark and progressing in their careers if they took such opportunities than if they stayed in the more comfortable medical practices of Britain.[93] The opportunities for research in Shanghai extended to experimentation with prisoners of the notorious Ward Road Gaol, mainly in the form of adjustments to their diet to prevent tuberculosis, beriberi and scurvy,[94] but including the use of new drugs such as the treatment of trachoma in the eyes of prisoners with sulphanilamide.[95] This is an additional facet to the control over the bodies of the colonised

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[91] U1-1-124: Health Committee, 30 October 1925.

[92] Arnold, *Science, Technology and Medicine*, p. 198; Douglas Haynes, *Imperial Medicine: Patrick Manson and the Conquest of Tropical Disease* (Philadelphia: University of Pennsylvania Press, 2001), p. 155. On the experimental work of other medical researchers in the British Empire, see Mark Harrison, *Medicine in an Age of Commerce and Empire: Britain and its Tropical Colonies* (Oxford: Oxford University Press, 2010), pp. 147-70.

[93] Haynes, *Imperial Medicine*, pp. 15-18.

[94] In the years 1919-21 investigations were made into the diet of Chinese prisoners and adjustments made which reduced the high incidence of tuberculosis from 69 to 42 per 1000. Jordan and Davis, 'Brief History'. In 1938 Drs E. Vio and S. T. Hsiu of the Gaol Hospital found that an injection of Redoxon or the consumption of oranges and raw turnips prevented scurvy among inmates. SMA U1-16-10-229: 13 June 1938, S. T. Hsiu to W. R. Johnston, Superintendent of Hospitals.

[95] U1-1-126: Health Committee, 17 March 1941.

which Arnold described taking place in India,[96] although such experimentation would have been equally permissible in gaols in Europe at the time. Inasmuch as these experiments benefited the health of the prisoners, albeit without the consent of their subjects, they indicate a shift from an earlier attitude to Chinese inmates which prioritised making their period of imprisonment as unpleasant as possible to avoid conditions inside gaol being preferable to life outside, with minimal consideration for their health needs. In 1908 Stanley had to intervene in a Watch Committee meeting to advise that a proposed reduction in the diet of prisoners, based on a comparison with gaol conditions in Hong Kong, was not advisable until their health was beyond doubt.[97] Stanley was successful despite the dual force of economy and example from Hong Kong, indicating some room for humanitarian concern in municipal public health policy-making.

Experimentation and research contributed to the PHD's reputation for scientific modernity locally and overseas. Increasingly, senior health officers of the SMC published their research in leading medical journals. The results of the measures taken to reduce scurvy were published by Drs Vio and Hsiu in *Caduceus*, published by the University of Hong Kong, and they both produced other similar publications. Dr W. R. Johnston, Superintendent of Hospitals, published an article recounting 'A Unique case of foreign bodies in the intestinal tract' – a case of sixteen fruit stones swallowed as a child suddenly causing health problems in a 24-year-old Chinese convict – in the prestigious *British Medical Journal*. He also authored or co-authored several articles in the local *Journal of Clinical Medicine*, including one about a rare fatal case of Wallenberg's Syndrome in an Indian policeman and another on the results of a treatment for pulmonary tuberculosis.

[96] Arnold, *Colonizing the Body*.
[97] U1-1-82: Watch Committee, 12 February 1908.

Jordan published his observations on the prognosis of rabies, and, with members of his staff, the results of the treatment of cerebrospinal fever by a new drug, in the leading journal *The Lancet*.[98] These publications served to demonstrate the world-class nature of work being carried out in Shanghai and the engagement of SMC employees, including senior Chinese staff like Hsiu, with medical research in the west. Jordan was even credited by *Time* magazine with correctly predicting the high rate of cholera in China in 1932,[99] demonstrating both the extent of his understanding of Chinese public health and the reach and international impact of his work. The scientific modernity of the municipal laboratory and staff brought the PHD onto the world stage, boosting its prestige locally and internationally.

A transnational Public Health Department

The Public Health Department was a well-developed department by the international standards of the time. The council's British health officers enjoyed the best training available in London in public health management, including courses for health inspectors at the Royal Sanitary Institute. The Commissioners of Public Health attended international conferences as SMC delegates, keeping abreast with the latest developments in disease prevention at events such as the International Rabies Conference. Jordan made use of periods of long leave to investigate how authorities in Europe and America tackled problems faced by his own department, such as a tour he made in 1930 inspecting the best

[98] U1-16-10-229.
[99] *Time*, 10 October 1932, <http://www.time.com/time/magazine/article/0,9171,744572,00.html#ixzz0jBTSt4WJ>, accessed 2 February 2011.

waste incinerators in use around the world.[100] His notes from a visit to Liverpool in 1937 show he was unimpressed by its abattoir, which he felt was dirty, dangerous and 'disgracefully run.' Denmark fared no better, where he described dairies in Copenhagen ranging from, at best, equivalent only to a grade B dairy in Shanghai, and at worst 'slovenly in the extreme.'[101] Jordan was in no doubt that his department was one of the best in the world.

Dr Ludwik Rajchman, the Medical Director of the League of Nations Health Organisation (LNHO), suggested to Jordan that he should make more of these visits, particularly within China, but Jordan replied tersely that the burden of his work and the limited leave that it was possible for him to take made frequent investigatory trips impossible.[102] There was no love lost between the two doctors: Rajchman was known for his leftwing political views and the western powers believed he was too sympathetic to China's plight as a victim of semi-colonial encroachment.[103] Needless to say, this did not endear him to the SMC.

China was a major focus of LNHO attention and one of the few places in which 'technical' activity took place under its direction. Jürgen Osterhammel noted in 1979 that the prevailing dismal view of the League of Nations required qualification, at least in relation to its technical support for China in the early 1930s, and scholarship in the last twenty years has contributed to a revisionist history of the League, focusing on its Health

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[100] U1-1-124, Health Committee, 25 February 1930.
[101] U1-16-10-215, Jordan, 'Diary Made During Commissioner's Leave' (n.d.).
[102] U1-16-9-199: Jordan's notes on interview between himself and Rajchman, 19 January 1931.
[103] Jürgen Osterhammel, '"Technical Co-operation" Between the League of Nations and China', *Modern Asian Studies,* Vol. 13, No. 4 (1979), p. 664; Martin David Dubin, 'The League of Nations Health Organisation', in *International Health Organisations and Movements, 1918-1939,* ed. by Paul Weindling (Cambridge: Cambridge University Press, 1995), pp. 62, 66-72.

Organisation.[104] The LNHO was a major proponent of international cooperation in the field of public health, and while in many regions the rhetoric was not accompanied by substantial internationally cooperative action, in China real operational cooperation was attempted. The SMC's health department embraced opportunities to play its part on the international stage, primarily by sharing statistical information with the Eastern Bureau of the Health Organisation, established in 1925 in Singapore after prompting from Japan.[105] The SMC gathered data on communicable diseases and the rate and causes of deaths to send in weekly reports to the Bureau by telegram, both from the Settlement and as provided by the French municipality.[106] Such engagement enabled the PHD to present itself as a leading health authority in the region.

However, Jordan was intolerant of suggestions by the League that the council did not serve the Chinese community sufficiently and failed to cooperate fully with the Chinese authorities. Judge Feetham put to Jordan the allegation made by Rajchman that the SMC made the wellbeing of the foreign community its first public health priority, to which Jordan responded at length, listing the ways in which his department served the Settlement's Chinese residents. This included the more than 1.5 million free vaccinations that had been administered by the department to date, the vast majority of which went to Chinese, as well as building hospitals for Chinese and providing local services: he argued that eleven of the fourteen branch health offices and ten of the fourteen municipal markets

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[104] Osterhammel, '"Technical Co-operation"'; Susan Pedersen, Review Essay: 'Back to the League of Nations', *American Historical Review*, Vol. 112, No. 4 (October 1997), pp. 1091-1117.
[105] Osterhammel, '"Technical Co-operation"', p. 663; Lenore Manderson, 'Wireless Wars in the Eastern Arena: Epidemiological Surveillance, Disease Prevention and the Work of the Eastern Bureau of the League of Nations Health Organisation, 1925-42, in *International Health Organisations*, ed. by Weindling, pp. 109-133.
[106] U1-1-124: Health Committee, 10 November 1926.

were used exclusively by Chinese.[107] Feetham was apparently convinced by Jordan's arguments, inserting them almost verbatim into his final report.[108] Jordan failed, however, to address Rajchman's implication that the council's motivation for attempting to improve the public health of Chinese in the Settlement was in large part for the benefit this brought to the foreign community by removing potential sources of infection. This was no doubt true, yet it is not an adequate explanation for the work of the PHD: the council's desire to maintain its international reputation was also a strong motivating factor, while medical practitioners simply did a professional job in serving the community. Successive attempts to increase provision for Chinese residents suggest that there was also a genuine desire to improve Chinese health for its own sake. Nonetheless, the council clearly only wanted to do so on its own terms and had a paternalistic conviction that it knew best how to provide for Chinese public health.

Rajchman told Jordan that the council should meet the minimum demand made by Chinese associations in Shanghai of appointing a Chinese Deputy Commissioner to the PHD, arguing that there were many local Chinese doctors who were fit for such a post. Jordan disagreed, saying pointedly that the local view differed from the international view, that he was not willing to tell his staff who had moved to Shanghai 'in good faith' that their chances of promotion had been closed, and nor could he remove the current deputy commissioner from his post to suit 'political emergencies'.[109] Jordan added his belief that all staff should be able to move up in the service regardless of nationality. This belied the reality that foreign, particularly British, staff were much favoured for higher positions, and

[107] U1-16-9-199: Jordan to Feetham, 15 January 1931.
[108] Feetham, *Report*, Vol. II, p. 50.
[109] U1-16-9-199: Jordan's notes on interview between himself and Rajchman, 19 January 1931.

illustrates the slowness of the council to respond to the changed political environment in Republican China, where Chinese were demanding a greater role in the running of administrations on Chinese soil.

The SMC cooperated with the LNHO at a regional and international level, such as by contributing to the work of the Eastern Bureau, because it served its aim of prominence on the international stage. But the council rejected Health Organisation efforts at a local level when Rajchman or others questioned the superior understanding of local conditions that SMC staff assumed for themselves. The League focussed most of its work in China on improving health conditions in the poor rural majority of the country, so its impact on Shanghai was limited. The other major western player in Chinese public health was the Rockefeller Foundation, which also maintained a largely rural focus, although it too received a degree of cooperation from the SMC. The council was more receptive to the Rockefeller Foundation's capitalist ethos of improving the health of the working population for the general benefit to the economy. The Foundation began its public health work with a programme which aimed to eradicate hookworm in the American South to produce more productive workers, and as it expanded its operations overseas it continued to promote the goal of strong, healthy workers.[110] This emphasis on commercial justifications for public health provision sat much better with the council's foreign businessmen than the League's underlying ideology of self-determinism and anti-imperialism.

The SMC's involvement with the Rockefeller Foundation exemplifies the kinds of transnational networks which connected public health administrations around the world in the early twentieth century. For example, the SMC's Deputy Secretary visited the

[110] E. Richard Brown, 'Public Health in Imperialism: Early Rockefeller Programs at Home and Abroad', *American Journal of Public Health*, Vol. 66, No. 9 (September 1976), pp. 898-99.

headquarters of the Rockefeller Medical Foundation in New York to study how their record-keeping methods could be applied to the health administration in the International Settlement in 1932.[111] The council was asked to provide the Rockefeller library in New York with copies of its annual reports, and in Shanghai it received a specialist from the Foundation during her global tour investigating child welfare. [112] Such reciprocal connections were of the webbed nature described by scholars such as Tony Ballantyne and Thomas Metcalf, rather than emanating from a metropolitan centre.[113]

Semi-colonialism in public health

Despite the broad transnational influences from bodies such as the LNHO and the Rockefeller Foundation, the strongest outside influence on SMC public health policy undoubtedly came from Britain and the British empire. Prominent figures including Stanley, Davis and Jordan were all recruited directly from Britain to Shanghai, while health inspectors were trained in London and health officers attended conferences in Britain. In 1928 Davis represented the International Settlement at the Inaugural Congress of the Royal Institute of Public Health, held in Dublin, and was invited to give an address as a 'distinguished visitor'. He said, to the undoubtedly receptive ears at the congress:

> An essential element in the development of this Department has been the example of, and the inspiration drawn from great Health Departments throughout the world,

[111] U1-16-12-257: Jordan to Geo. V. Allen, Vice Consul in charge of the Passport Office, American Consulate, 22 August 1932.
[112] U1-16-12-257: Jordan to Dr J. C. Lawney, 27 September 1932.
[113] Tony Ballantyne, *Orientalism and Race: Aryanism in the British Empire* (Basingstoke: Palgrave, 2002), especially pp. 3-16; Thomas R. Metcalf, *Imperial Connections: India in the Indian Ocean Arena, 1860-1920* (Berkeley: University of California Press, 2007), especially pp. 1-14.

and the stimulus of great Congresses, such as this present one, from which new ideas and fresh encouragement radiate to the uttermost parts of the world.[114]

Davis and those he mixed with at the congress were very much alive to the potential of transnational interaction, though for these individuals the networks in which they participated were in practice overwhelmingly British and colonial in nature.

In addition to networks of individuals and organisations, Shanghai was linked to the formal organs of government in London. The SMC took instructions from the British War Office, or anticipated their desires, in their special treatment of the health of British military personnel stationed in the Settlement: in 1919 the British armed forces in Shanghai were given free inoculations by the PHD; concern for the health of British troops in Shanghai led to efforts by the PHD to improve the sanitary conditions of their barracks in 1927; and in 1931 the department waived the fee for laboratory examinations for the British Army.[115] The example set in Britain and its colonies was followed in various matters from the regulations for plague prevention to those governing the sale of poisons (which were based, in 1940, on those in operation in England).[116] Connections with different parts of the British empire were equally important, and here the SMC was influenced by practice elsewhere and acted as a source of influence for other administrations. Shanghai followed the precedent set in Hong Kong in plague prevention, as seen, yet also gave advice on

[114] U1-3-229, Personnel File for Dr C. Noel Davis. Text of address given by Davis at Congress of Royal Institute of Public Health, Dublin, 1 August 1928.
[115] U1-1-123: Health Committee, 31 January 1919; U1-1-124: Health Committee, 20 April 1927 and 3 February 1931. Similar benefits were not necessarily extended to other Allied armies.
[116] U1-1-126: Health Committee, 30 June 1940.

public health literature to the International Settlement authorities at Gulangyu.[117] Health policy was decided in an environment of inter-colonial exchange.

Shanghai was also included in public health drives directed from the imperial metropole, such as the work of the Far Eastern Commission on Venereal Diseases, which was established under the auspices of the Ministry of Health, the Colonial and Foreign Offices, and the Treasury.[118] The Commission targeted Hong Kong, Singapore and Shanghai as port cities in particular need of support in the empire-wide campaign against venereal diseases. Shanghai was the first port of call for the commission in December 1920.[119] The timing was excellent as the SMC was then under pressure to act on the recommendations contained in the report of the specially formed 'Vice Committee', which brought the extent of the public health problems caused by prostitution into the glare of the public eye.[120] In a special joint meeting of the Health and Watch Committees, Dr Rupert Hallam, the Medical Commissioner, made detailed recommendations concerning the provision of a venereal disease clinic and free testing and treatment.[121] Despite the usual desire for economy, the SMC acted immediately to begin implementing his recommendations, and consulted with him in the selection of the new Assistant Health Officer with expertise in venereal diseases who was to be appointed in response to the

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[117] SMA U1-16-11-248: Jordan to C. H. Holleman, Medical Officer of Health, Gulangyu Municipal Council, 17 June 1940.

[118] Kerrie L. MacPherson, 'Health and Empire: Britain's National Campaign to Combat Venereal Disease in Shanghai, Hong Kong and Singapore', in Roger Davidson and Lesley A. Hall (eds.), *Sex, Sin and Suffering: Venereal Disease and European Society since 1870* (London: Routledge, 2001), p. 173.

[119] There had been logistical problems with the planned first call to Hong Kong. MacPherson, 'Health and Empire', p. 178.

[120] Philippa Levine, *Prostitution, Race and Politics: Policing Venereal Disease in the British Empire* (New York: Routledge, 2003), pp. 237-9.

[121] SMA U1-1-87: Minutes of the Watch Committee, joint meeting with Health Committee, 21 December 1920.

commission's report.[122] There is more on the treatment of venereal disease by the PHD below, but it is clear that in 1920 the combination of local pressure from ratepayers and pressure from the imperial metropole was sufficient to force action from the SMC.

Entente cordiale? Relations with the French *Conseil municipal*

Despite these leanings towards the British imperial world, the SMC had to function in the unique environment of Shanghai alongside its neighbouring French and Chinese administrations. Cooperation between the two foreign concessions was often uneasy, and public health matters were no exception. Each council was always reluctant to provide services, such as hospital treatment, which would be of benefit to both concessions without securing financial support from the other, often resulting in inactivity or delay. Representatives of the two councils sat together on the board of governors of the Country Hospital for foreigners, which was presented to the community by a private individual in 1926. But the SMC was responsible for guaranteeing any deficit in the hospital's accounts, and resented that the *Conseil municipal* did not share this burden.[123] In addition, the council repeatedly complained that residents in the French concession were treated in municipal hospitals in the Settlement without adequate compensation from the *Conseil municipal*. The SMC approached the French authorities seeking a greater contribution in view of the high numbers of Russian refugees who were resident in the French concession but were being treated at the General Hospital at the expense of ratepayers in the International Settlement.[124] The French riposted that they made no charge for treating residents of the

[122] U1-1-123: Health Committee, 12 August 1921.
[123] SMA U1-1-60: Finance Committee, 25 January 1923.
[124] U1-1-124: Health Committee, 30 October 1925.

International Settlement in the Ste. Marie Hospital, and the matter was temporarily allowed to drop, only to be raised again in subsequent years.

In some areas the *Conseil municipal* paid a fee to the SMC to use its services, such as the municipal laboratory, rather than duplicate them. In others, the council observed practices which proved effective in the concession and applied them to the Settlement, from methods of treating cattle plague,[125] to the tight control of the pork that could be sold, which would prove highly contentious with the Chinese authorities (see below). The two councils operated a scheme of reciprocal licensing and dual inspection of food vendors, such as that attempted with the Chinese authorities without success.[126] They also shared information on infectious diseases, including the weekly bulletins from the League of Nations Health Station, though Jordan grumbled that 'owing to the incompleteness of organisation of the Public Health Department of the French Administration the information proceeds mainly from one side'.[127] He bemoaned the French lack of a system for notification of infectious diseases as was in place in the Settlement, the poor and incomplete statistics and the lack of an isolation hospital or full time medical officer. Nevertheless, the French covered half the cost of the telegrams sent each week back to Singapore on the local health situation, and it was the French Municipal Wireless Station that received and re-broadcast the reports on regional public health that came from the Bureau, including warnings of localities where, or individual ships on which, communicable diseases had broken out. The SMC and *Conseil municipal* therefore had a

[125] U1-1-82: Watch Committee, 8 July 1907.
[126] Although it had been in operation for over a decade, however, the system did not receive official approval until 1935. SMA U1-1-124: Health Committee, 5 November 1935.
[127] SMA U1-16-9-198.

relationship of give and take, with each council anxious to ensure it was not giving more than the other.

The balance of financial contributions was not the only source of tension between the settlements. According to Arnold, this was an 'era of competitive imperialism', not least in the field of public health,[128] and the British and the French were the staunchest of imperial rivals. On the whole, cooperation seems to have been more prevalent than competition between the two foreign concessions, but tensions remained. When Stanley complained that the French municipality lacked a direct counterpart to his position, and when Jordan criticised the record-keeping in the French concession, they were setting their own administration above the French in practical and moral terms. Public Health had an aura of public service which gave it greater moral weight than most council activities, so superiority in public health provision boosted the prestige of the council on a moral as well as an administrative level. However, entering the realm of morality brought its own difficulties.

Cooperation with the French was required in the most contentious areas of public health: venereal disease and the treatment of the insane. Health authorities throughout history have struggled with how best to tackle the issue of prostitution and its accompanying diseases, and perhaps nowhere was this problem more pressing than in the infamous port city of early twentieth-century Shanghai, where fractured sovereignty limited the efficacy of attempted regulation. Christian Henriot has shown how the two foreign municipalities, the Chinese and foreign residents, and the Chinese authorities, all had

[128] Arnold, *Imperial Medicine*, p. 14.

differing views on whether and how best to attempt to regulate and control prostitution.[129] Calls from the League of Nations for the three municipalities to cooperate in this area fell on deaf ears due to the different cultural perspectives from which they viewed the problem. The different approaches favoured by the two foreign councils reflected the dominant forms of regulation that were established in Britain and France. France is considered the originator of the regulationist approach to prostitution which came to dominate practice in most of continental Europe and the European colonies. *Reglémentation* involved a system of licensed brothels which were regularly inspected for venereal disease, with prostitutes treated at a network of dispensaries as necessary or incarcerated in hospitals if deemed a threat to their clients' health. Britain developed a similar form of regulation domestically and in its colonies, registering known and tolerated prostitutes though stopping short of formally endorsing them with a license, inspecting them and isolating cases of diseases. But Philip Howell describes as 'half-hearted' Britain's commitment to regulationism in the metropole, as the Contagious Diseases Acts of 1864-86 were only in force for twenty years and only in certain military stations rather than across the country.[130] London's concern was primarily with the health of the armed forces, and it was in military and imperial contexts that regulationism was more widely accepted.

In Shanghai, the preferred route of the *Conseil municipal* was to try to create revenue from what they saw as an inevitable trade. The SMC, on the other hand, sought to distance itself from the problem, favouring medical inspection only of Chinese prostitutes visited by foreign customers in an attempt to curb the rates of venereal disease among

[129] Henriot, *Prostitution and Sexuality in Shanghai*, pp. 273-333.
[130] Philip Howell, *Geographies of Regulation: Policing Prostitution in Nineteenth-century Britain and the Empire* (Cambridge: Cambridge University Press, 2009), pp. 3-4, 7-8, 14-15

sailors and the council's own staff. This policy, emphasising the preservation of sexual health within the armed forces and as a secondary concern the preservation of a productive municipal workforce, reflected pressure from the British military for port cities to reduce the rates of infection among military men.[131] The council was once more looking to colonial practice in Hong Kong as an example, where the regulationist approach was implemented most consistently.[132] Yet the SMC deviated from practice in Hong Kong and bowed to moral pressure from the ratepayers to attempt to eliminate prostitution, a result in large part of pressure from missionaries and others who were influenced by the dominant Christian moral discourse in the United States in the 1910s and 1920s. The council abandoned regulationism only reluctantly and against the better judgement of its own medical personnel and other practitioners in the Settlement.[133] Chinese were, according to Henriot, less likely to see the issue in moral terms, emphasising instead practical concerns, [134] but this contrasted more with popular sentiment among the foreign communities than the pragmatism preferred by the councils. Significantly, foreign residents, councils and home governments were particularly concerned about the damage done to perceptions of white racial superiority by the presence of white prostitutes in Shanghai, as was true in colonial societies throughout the world.[135] None, however, found an effective way to solve this problem.

Mental health was a no less contentious area of public health work (though for different reasons) and this was especially true in a colonial or semi-colonial setting. The

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[131] Levine, *Prostitution, Race and Politics*, p. 145.
[132] Howell, *Geographies of Regulation*, 188-218.
[133] Levine, *Prostitution, Race and Politics*, p. 237.
[134] Henriot, *Prostitution and Sexuality*, pp. 309-310.
[135] See, for example, Eileen P. Scully, 'Prostitution as Privilege: The "American Girl" of Treaty-Port Shanghai, 1860-1937', *International History Review*, Vol. 20, No. 4 (December 1998), pp. 855-6.

image of white racial superiority was compromised as much by the presence of insane foreigners as by white prostitutes. The SMC shared with colonial India and Africa the practice of shipping long-term mental patients back to their country of origin where possible, both to relieve the municipality of the cost of their care and to avoid the local population witnessing such 'defective human material,' in the words of Arthur Stanley.[136] Those without funds would be repatriated at the cost of their consulate or national societies, as confirmed with the consular body in 1907 and 1912, and it fell to charitable institutions to fill in any gaps: this accorded with the well-established policy that the council should accept no responsibility for poor relief.[137] The strict colour bar applied as much for the insane as for the general population, and the Watch Committee ruled in 1907 that all 'Orientals' should be excluded from the mental ward, including Japanese.[138] The council began to admit some liability in the case of the white 'mentally deficient who are Shanghai-born' in 1919. This was the unanimous view of the Health Committee, despite assurances from Stanley, ever mindful of the need for economy, that the existing mental ward at the Victoria Nursing Home (which charged six taels per day to patients attended by their own doctors or to the relevant consular authority for 'paupers') was sufficient.[139] The shift reflected the growing significance for the council of the Shanghailander mentality, whereby increasing numbers of Britons and Americans in particular identified Shanghai as a permanent home.[140]

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[136] U1-1-123: Health Committee, 14 November 1918. For the treatment of the European insane in India, see Waltraud Ernst, 'The European Insane in British India, 1800-1858: a Case-study in Psychiatry and Colonial Rule', in *Imperial Medicine*, ed. by Arnold, pp. 27-44; and Waltraud Ernst, *Mad Tales from the Raj: European Insane in British India, 1800-58* (London: Routledge, 2004).
[137] U1-1-123: Health Committee, 14 November 1918.
[138] U1-1-83: Watch Committee, 8 July 1907.
[139] U1-1-123: Health Committee, 31 January and 7 June 1919.
[140] See Bickers, 'Shanghailanders', pp. 161-211.

The policy of refusing responsibility for incomers was increasingly difficult to enforce in Shanghai, however, as the stateless population grew with successive waves of refugees, first Russians following the 1917 October Revolution, and later Jews fleeing Nazi Europe. The SMC approached the Chinese authorities in 1923 with a request that they assume financial responsibility for a Russian mental patient as the latter had accepted consular jurisdiction over stateless Russians,[141] but in general the council paid for such cases. The two foreign municipalities also provided increasingly generous funding for institutions like the Shanghai Hospital for the Insane, which was exempted from half of the general municipal rate as it assisted the council in providing for the insane in the absence of a municipal mental hospital.[142] This absence was felt increasingly, and when the Health Commission's work was under discussion in 1930, Liu Hongsheng made the first minuted contribution by a Chinese member of the Health Committee, arguing that 'all *modern* municipalities provide an asylum for the Insane and deprecating the fact that Shanghai has no such institution'.[143] Although those present agreed with Liu, it was not until 1935 that the SMC, in conjunction with the French and Chinese municipal authorities, funded the construction of a new Mercy Hospital for the insane outside the city, under the auspices of Catholic missionaries. The three authorities all contributed to its maintenance, though suspicions that the others were not paying their share persisted.[144] The SMC made increases in its contribution dependent on increases from the *Conseil municipal* right up until the

[141] U1-1-123: Health Committee, 27 December 1923.
[142] This was the recommendation of Xu Xinliu when asked by the Chairman of the Finance Committee, A. D. Bell, to comment on the worth of this hospital, based on Xu's personal acquaintance with Dr Woo who managed the hospital. U1-1-63: Finance Committee, 22 September 1933.
[143] U1-1-124: Health Committee, 30 September 1939, emphasis added.
[144] At a joint meeting of the Health and Finance Committees in 1936, Dr Tongu expressed the opinion 'that most mental cases occur among the Russians in the French Concession, and that the French Authorities have therefore a greater financial responsibility for the undertaking than the Council.' SMA U1-1-26: Finance Committee, 2 March 1936.

demise of the treaty port system, making a promised additional grant of $3,500 to the hospital conditional on the French providing $7,500 on top of their existing (lower) contribution in 1940.[145] Later that year, the council's payment to the hospital of $2 per patient (foreign or Chinese) per day was increased to $4 to reflect the rampant inflation, again on the condition that the French municipality matched the rise.[146]

Cooperation between the different municipal authorities increased over the period, as shown by the example of provision for mental health, but the foreign municipal authorities were most anxious to collaborate in times of emergency. In the face of the threat of an outbreak of pneumonic plague in Nanjing spreading to Shanghai in 1918,[147] the Acting French Consul-General attended an emergency meeting of the Health Committee in his capacity as chairman of the *Conseil municipal* to discuss a joint strategy to prevent the disease reaching Shanghai. No Chinese were invited to the meeting, reflecting the consensus among the international authorities at the time that concerted action would come from the foreign community alone. When Sino-Japanese hostilities broke out in January 1932, Jordan turned to his French counterparts for assistance. The French provided hospital beds in the Ste. Marie Hospital for patients evacuated from the municipal Isolation Hospital, and the SMC provided them with extra staff and equipment to do so.[148] When presented with an emergency, the councils instinctively turned to each other for help, putting aside petty grievances. In 1936, Dr Rabaute, the French Director of Public Hygiene, wrote to

[145] U1-1-63: Finance Committee, 25 May 1940.
[146] U1-1-63: Finance Committee, 12 October 1940. Council contributions to the National Leprosarium, situated outside Shanghai, were also contingent on those made by the French and Chinese municipal authorities. U1-1-26: Finance Committee, joint meeting with Health Committee, 2 March 1936.
[147] U1-1-123: Health Committee, 20 March 1918.
[148] SMA U1-16-9-216.

Jordan that in public health 'il n'y a pas de frontières.'[149] This was a recognition of practical if not political realities.

A new neighbour: the Municipal Government of Greater Shanghai

Cooperation between the SMC and local Chinese authorities on public health, where attempted, was hindered by the often weak and transitory nature of those authorities and indeed by the lack of a health department before 1926. Dr Ding Wenjiang (V. K. Ting 丁文江) began in that year to set about establishing a new, 'modern' municipal infrastructure on behalf of Sun Chuanfang (孙传芳), the military governor of Fujian who has reclaimed authority over Shanghai in October 1925.[150] Ding's innovations included the establishment of the Shanghai Bureau of Public Health (*weisheng ju*) and he sought and was given information about the nature of the council's Public Health Department as he planned a similar structure.[151] The Guomindang's victory over Sun's forces in 1927 resulted in Ding's dismissal and Chiang Kai-shek appointed Huang Fu (黄郛) as the first Mayor of Greater Shanghai after declaring the city a Special Municipality in 1927. Huang continued the development of the Bureau of Public Health as part of the new municipal government. In July 1927 the municipal government announced the Greater Shanghai Plan, which was intended to raise the infrastructure of the municipality to match that of the foreign concessions, which were taken as a model for development.[152] Public health was also to be thus improved: Nakajima Chieko argues that the Guomindang derived its legitimacy in part

[149] SMA U1-16-12: Rabaute to Jordan, 3 August 1936.
[150] Henriot, *Shanghai 1927-1937*, p. 18.
[151] Jordan, 'Report'.
[152] Kerrie L. MacPherson, 'Designing China's Urban Future: The Greater Shanghai Plan, 1927-1937', *Planning Perspectives*, Vol. 5, No. 1 (January 1990), pp. 39, 43.

from its concern for the welfare of the population, so public health provision was crucial to maintaining such legitimacy.[153] Shanghai was a priority for the Nanjing government, a location in which it planned to showcase its success to the world. As demonstrated above, the SMC's Public Health Department was trying to keep up with the most modern trends in the field, so it was not a bad model for the Greater Shanghai government to take. This policy also fitted with the national government's plans concerning social medicine.[154] Cooperation with the SMC was therefore planned from the establishment of the Special Municipality.

The new Commissioner for Health of the Municipal Government of Shanghai, Dr Hu Hou-ki (Hu Hongji), was introduced to Commissioner Davis of the SMC by Dr John Grant, the Rockefeller Foundation International Health Board's representative to China, in 1926. Davis invited Hu to visit the PHD to see how it ran its operations.[155] No doubt he was proud to show off his department in all its 'hygienic modernity'.[156] Ruth Rogaski has demonstrated how modernity was closely bound up with western notions of hygiene and public health for Chinese elites in Tianjin, and the same was true in Shanghai. But Hu had already had ample exposure to the most modern of western public health developments during his training at the Johns Hopkins School of Hygiene and Public Health from 1922,

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[153] Nakajima, 'Health and Hygiene in Mass Mobilization', p. 44. For a recent detailed, though un-nuanced, perspective on Chinese public health in this period see Zhang Daqing, *Zhongguo jindai jibing shehui shi (A Social History of Diseases in Modern China, 1912–1937)* (Jinan: Shandong jiaoyu chubanshe, 2006).

[154] In 1933 the Chinese government welcomed Andrija Stampar of the League of Nations Health Organisation to conduct an investigation into rural public health in China. Over three years he visited the entire country from the north-west to Fujian, and concluded that successful health work was impossible where basic living standards were intolerable, so the first task in China was to raise living standards. Although action on this was somewhat slow, the Guomindang was receptive to his recommendations. Andrija Stampar, 'Health and Social Conditions in China', *Quarterly Bulletin of the Health Organisation of the League of Nations*, No. 5 (1936), pp. 1090-126, referenced in Amrith, *Decolonizing International Health*, pp. 26-27.

[155] Jordan, 'Report'.

[156] Rogaski, *Hygienic Modernity.*

and in his subsequent period as Chief of the Division of Vital Statistics at the Health Demonstration Station at Beijing under John Grant.[157] Thus while Davis and Jordan looked down on their Chinese counterpart, Hu's experience and qualifications were certainly at least as 'modern' and up-to-date as their own.[158] Hu was in some ways a product of the transnational developments in public health.[159] The Rockefeller Foundation, which funded Hu's training at the Johns Hopkins School (he was the first Chinese recipient of a Rockefeller Foundation International Health Board fellowship) and supported the Health Station where he had worked, was arguably the most significant organisation promoting public health on the international stage in this period.[160] It was the time of a dramatic shift in the nature of public health across Asia, as improvements in basic sanitation and nutrition were championed and large gains made throughout the region. Moreover, as noted above, representatives of the League of Nations worked hard to effect cooperation between the different authorities of the city on health issues, but the relationship between the Chinese and Settlement administrations was plagued by mistrust.

Insignificant as it may seem, the issue of licensing and inspecting bakeries and dairies provided a catalyst for a deterioration in the relationship between the two councils on health matters. In 1927 Hu Hongji suggested to Davis that, provided the license conditions of both areas met the same standards, they should be mutually recognised. An SMC inspection in early 1928, however, found bakeries licensed by Hu to be unsanitary, so Davis decided to withhold reciprocity on licensing until standards improved. This marked

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[157] Mary Brown Bullock, *An American Transplant: The Rockefeller Foundation and Peking Union Medical College* (Berkeley: University of California Press, 1980), p. 147.
[158] Jordan, by way of comparison, had qualified at Cambridge University in 1913.
[159] Amrith, *Decolonizing International Health*, pp. 4-8, 25-27.
[160] Amrith, *Decolonizing International Health*, p. 25.

the beginning of an antagonistic relationship between the two public health commissioners: Davis claimed that from then on Hu was hostile and 'carried on a persistent campaign of calumny and obstruction'.[161] Hu then proposed reciprocity on pork inspection, but the two councils refused to recognise the quality of the other's inspectorate. When the SMC introduced a system of inspecting pigs for Chinese consumption within the Settlement, therefore, all pigs in the Chinese City bearing the municipal stamp were confiscated. Relations reached their low-point the following year over the disposal of human waste. The ever-increasing population of the Settlement meant previous solutions to the problem were no longer sufficient, and in 1929 the council agreed a contract to use a site in Greater Shanghai already in use by the Chinese and French authorities. In order to allow it to proceed, however, Hu demanded concessions from the council on areas of contention from the reciprocal licensing of food outlets to the Shanghai Municipal Police arresting students in uniform. Jordan declared that this was 'a deplorable instance of an attempt to sacrifice the public health and welfare to the attainment of political ends', but in the unequal world of the treaty ports it is unsurprising that the Chinese authorities should have seized opportunities to obtain concessions from the foreign authorities they were hoping to supersede. Jordan's objections were in fact based largely on Hu's perceived lack of respect for the council. He claimed Hu 'adopted a manner of studied insolence' during a meeting with the Commissioner of Public Works over the issue.[162] The council and its employees were having trouble adjusting to a newly confident and ambitious Chinese authority. Deploring the 'refractory and short-sighted obstructiveness of the local authorities', Jordan

[161] Jordan, 'Report'.
[162] Jordan complained that Hu choosing to speak only through a clerical assistant even though he spoke perfect English.

recommended the council install incinerators to deal with the problem of waste disposal, which it duly did.[163] Cooperation had failed.

There were not always alternative options if cooperation was found to be difficult, and sometimes concessions had to be made. Diseases do not respect political borders, and the fight against cholera was one area in which the three municipalities in Shanghai made a concerted effort to cooperate, following the League of Nations mission. The SMC, French *Conseil municipal* and Chinese municipal government all contributed funds and materials to annual anti-cholera campaigns from 1929, which aimed, for example, to inoculate 200,000 persons in 1930.[164] The Public Health Bureau in the Chinese municipality had already developed a laboratory with a large capacity: the SMC planned to use 200,000 vaccines produced in its own laboratories and purchase further supplies from the Bureau. However, the minutes of the conference held in May 1930 to plan that year's campaign, led by Hu Hongji and attended by representatives of all three administrations and of the League of Nations, reveal the deep tensions that existed between those involved. The most serious area of disagreement was over the strength of the inoculation to be administered. The Chinese doctors were concerned that if too high a dose were given, patients would have such a severe reaction that people would be unwilling to undergo the inoculation. Fearing that they would be the only authority whose inoculation produced the severe reaction, the council agreed to a compromise dose much lower than that they thought advisable, but from comments made at the meeting Jordan suspected that Hu would proceed with the even lower dose he had planned. Jordan's personal dislike of Hu was again apparent and he noted his disgust at the discussion in the margin of his copy of the minutes: 'the whole

[163] Jordan and Davis, 'Brief History'; U1-1-124, Health Committee, 25 February 1930.
[164] Jordan, 'Report'.

thing is eye-wash'.[165] He also criticised Hu's inoculation of schoolchildren who Jordan believed were at low risk of contracting cholera anyway: he evidently did not believe Hu was basing his work on a sound scientific basis. Cooperation between the council and the Chinese authorities was fraught with such differences of opinion. Yet the annual campaigns continued and the approach to the prevention of cholera was one of partnership. The council contributed funds to other campaigns run by the municipal government to increase uptake of vaccinations and improve general hygiene standards, and city-wide campaigns were thought to achieve a greater impact than if they had been confined to the limits of the Settlement.

In other areas of public health management, the SMC was forced into a position of keeping up with the rapid improvements being effected in the neighbouring Chinese municipality. In December 1933 the Health Committee recommended that action be taken on school medical inspection. This had been suggested many times since Stanley first reported on the subject in 1920, but the council ruled in 1925 that 'the responsibility for attending to the health of School Children is properly a matter for parents' and therefore should not fall on the public purse.[166] In later years as the culture of the SMC gradually changed and it took on greater responsibilities, such as the provision of education for Chinese due to the influence of Chinese members of council, medical inspection in schools was still not given priority due to calls for financial stringency. All that had altered in 1933 was that the Chinese municipal government had implemented a programme of school medical inspection, and the SMC could not appear to fall behind, as stated explicitly in the

[165] Jordan, 'Report'.
[166] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXIII, 2 July 1925.

Health Committee minutes.[167] Due to pressure from the Treasurer to keep costs low, the council initially employed the services of Dr Ward to investigate the need for such a service. She reported in March 1934 that children in municipal schools were suffering from a high number of preventable eye and skin infections, and advocated the establishment of a school medical inspection service without delay. Work began in Chinese municipal primary schools in accordance with advice from Chinese members of the SMC Education Board on how the service should proceed, based on practice in the Greater Shanghai municipality. This episode reflects both a shift in dynamic as the council followed the example set by the Chinese municipality, and the positive impact made by Chinese representatives on the council as it was they who prompted the decision. The achievements of the Greater Chinese municipal authority in this and other areas of public health work contribute to the growing literature which rehabilitates the Nationalist government more broadly, redressing a long-held belief that it was doomed to fail from the outset.[168] The SMC had a powerful new neighbour in the Greater Shanghai municipal government, and in public health the two administrations learned to cooperate despite their mutual mistrust.

Conclusion

Despite these improvements in the council's relations with its neighbours and all the increased activities of the Public Health Department described in this chapter, there is no evidence that it was successful in significantly reducing mortality rates in the Settlement among foreigners or Chinese. Figure 15 shows the death rates per thousand from 1902, the

[167] U1-1-124, Health Committee, 7 December 1933.
[168] Julia C. Strauss, *Strong Institutions in Weak Polities: State Building in Republican China, 1927-1940* (Oxford: Clarendon Press, 1998); various contributors to 'Special Issue: Reappraising Republican China', *China Quarterly*, No. 150 (June 1997), pp. 255-458.

first year in which statistics were kept by the council for the Chinese community, until 1937 when Sino-Japanese hostilities dramatically increased the numbers of Chinese deaths: the most common causes of death that year were violence and accidents, even though the figures only applied to the year up until August. The graph shows how death rates varied within this period from a high of 30.9 per thousand in 1902 (10,801 deaths were recorded that year) to a low of 10.3 per thousand in the Chinese population in 1923 (when 8,436 deaths were recorded), but without a discernable trend of a decline in mortality. Similarly, the death rate among foreigners, far fewer in total population, ranged from 11.2 per thousand in 1905 (129 deaths) to 20.7 in 1917 (410 deaths), with no general decline in mortality.[169]

MacPherson argues that foreigners in Shanghai enjoyed lower mortality rates than their counterparts elsewhere in East Asia,[170] but the failure of the PHD to make a positive impact on the rate of deaths over a period of such increased activity and investment as has been described requires explanation. The department operated in an environment with high levels of poverty, especially among the Chinese population, but also among some foreign groups, particularly Russian émigrés. Over-crowding as refugees fled to the Settlement with limited resources posed new public health dangers and containing these was a growing struggle for the PHD. That the death rate was kept relatively stable in the face of over-crowding can therefore be seen as an achievement in itself, but even so the department was falling short of its aims, born of faith in scientific progress. The most striking sign of the SMC's failure to address poverty as the underlying cause of mortality was the numbers of

[169] SMC *Reports for the years 1905-1937*. This would appear to lend credence to the argument that public health measures had less impact on global decreasing mortality rates in the nineteenth and twentieth centuries than other, mainly economic, factors.
[170] MacPherson, *Wilderness of Marshes*, p. 268.

'exposed corpses' which were cleared from the streets of the city on a daily basis: these were listed separately in municipal annual reports from 1930, when 5,783 such bodies were collected in the Settlement, representing 37.4 per cent of the total number of deaths.[171] This phenomenon increased through the decade until it reached a high of 20,796 in 1937, or 59 per cent of the total figure for deaths that year.[172] It was a mark of shame in a city with the wealth of Shanghai that such extreme poverty should be in such stark evidence, contrasting sharply with the modern image the council sought to portray.

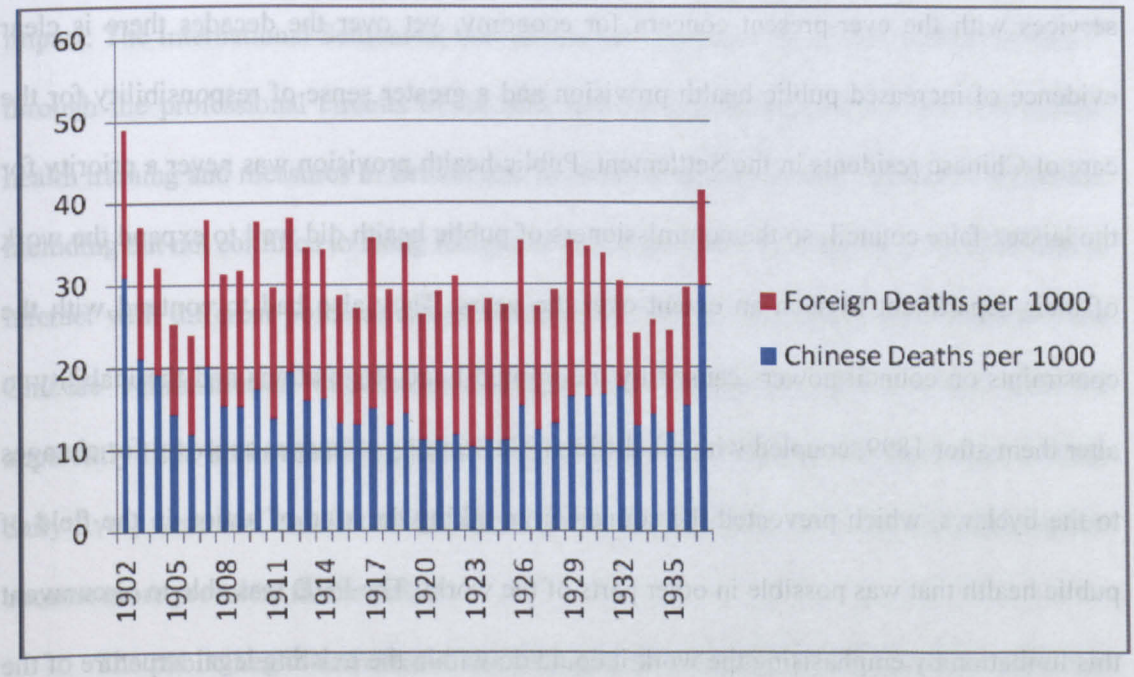

Figure 15: Death rates per thousand of the foreign and Chinese communities of the International Settlement.[173]

This chapter provides a case study of how the Shanghai Municipal Council functioned by examining how it formed and implemented policies in the field of public

[171] SMC, *Report for 1930*, p. 132. For a detailed study of the phenomenon of exposed corpses on the streets of Shanghai, see Christian Henriot, '"Invisible Deaths, Silent Deaths": "Bodies without Masters" in Republican Shanghai', *Journal of Social History*, Vol. 43, No. 2 (Winter 2009), pp. 407-437.
[172] SMC, *Report for 1937*, p. 121.
[173] SMC, *Reports for the years 1905-1937*.

health. Further work from the perspectives of the Chinese and French municipal authorities would reveal new facets to these relationships, while research into the impact of public health policies on the lives of Shanghai's inhabitants would lead to a much fuller understanding of public health and its limits in this period. It is clear from this study, however, that the practical work of public health provision was shaped, enhanced and hampered in practical ways by the unique status of the International Settlement.

The council and its committees juggled the growing demand for public health services with the ever-present concern for economy, yet over the decades there is clear evidence of increased public health provision and a greater sense of responsibility for the care of Chinese residents in the Settlement. Public health provision was never a priority for the laissez-faire council, so the commissioners of public health did well to expand the work of their department to such an extent over the years. They also had to contend with the constraints on council powers caused by the limited Land Regulations and the inability to alter them after 1899, coupled with the difficulty in securing ratepayer approval for changes to the byelaws, which prevented the council from taking the kind of action in the field of public health that was possible in other parts of the world. The PHD was able to circumvent this limitation by emphasising the work it could do within the existing legal structure of the Settlement. This meant shifting from attempting to force a change in the living conditions and practices of, in the main, Chinese residents, by enforcing draconian byelaws such as those introduced in 1910 to prevent the spread of plague, towards efforts through publicity and especially the work of the branch health offices to achieve improvements in public health. This coincided with the emergence of a concern among Chinese elites to embody

'hygienic modernity' and increased awareness globally of the role of public hygiene in preventing the spread of disease.

The council also pursued its public health goals in the rarefied environment of the laboratory, conducting research which positioned the PHD at the forefront of international public health work. The SMC was subject to international influences from around the world in an age in which newly emergent transnational bodies such as the League of Nations Health Organisation and the Rockefeller Foundation were beginning to have a significant impact. The International Settlement was also positioned squarely in the 'British world',[174] through the professional circuits of its staff and by maintaining close links with public health training and measures in Britain and its overseas territories and spheres of influence, including but not confined to Hong Kong and the China coast. Locally, too, the SMC had to interact with different political actors, notably the French Concession authorities and the Chinese administration of Greater Shanghai. The Settlement limits, which were of apparently little import to Shanghai's inhabitants who crossed them in the course of their daily lives, were real barriers to concerted public health work, but over time cooperation became more prevalent than conflict.

The public health activities of the Shanghai Municipal Council, therefore, reflect in practical terms the realities of how it functioned as a semi-colonial body in relation to local and transnational influences. The pride of the council and many residents of the Settlement in its comparative modernity was due in no small part to its provisions for public health, as indicated by the chapter's opening quotation. The fact that mortality rates in the Settlement remained effectively stagnant despite all the efforts of the PHD may appear to counter these

[174] Carl Bridge and Kent Fedorowich (eds.), *The British World: Diaspora, Culture and Identity* (London: Frank Cass, 2003).

claims, but given the increased population pressures in the Settlement this in itself was an achievement. Yet despite the myriad activities of the PHD, poverty remained a barrier to significant improvements in public health, rendering the efforts of the department to exemplify scientific modernity somewhat futile.

Chapter Five: Industrial Reform

'Except the Bund ... Shanghai has nothing to show the visitor, – unless he comes to see Missions or cotton-mills.'[1]
'It is no light task to try to prevent a city from blowing up!'[2]

Shanghai was the centre of light industry in China from the dawn of the twentieth century. The Treaty of Shimonoseki which concluded the First Sino-Japanese War in April 1895 granted Japan and therefore, through Most Favoured Nation clauses in other treaties, all the other foreign powers, the right for the first time to open factories and engage in industries and manufacturing in China.[3] There followed a rapid expansion in industry in the main treaty ports, especially Shanghai and Tianjin, from foreign investors and, to a lesser extent, from a new wave of Chinese industrialists. The latter were responding in part to the measures taken by the Qing government to boost industry following the disastrous First Sino-Japanese and Boxer wars, such as the creation of a Ministry of Commerce in 1903 and the promulgation of a Company Law in 1904.[4] In Shanghai the main industry was cotton manufacturing. The region had been a centre of cotton production and processing since the thirteenth century, but it was only with the relaxation of the laws restricting foreign industry in 1895 that the industry took off with the establishment of foreign-style mills and the adoption of western technologies. The heyday of the cotton industry subsequently came

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[1] Samuel Couling, *Encyclopaedia Sinica* (Shanghai: Kelly and Walsh, 1917), p. 521.
[2] MLMSS 770/1/2: E. M. Hinder to her mother, 5 May 1936.
[3] Immanuel C. Y. Hsu, 'Late Ch'ing foreign relations, 1866-1905', in *The Cambridge History of China, Vol. II, Late Ch'ing, 1800-1911, Part 2*, ed. by John K. Fairbank and Kwang-Ching Liu (Cambridge: Cambridge University Press, 1980), p. 108.
[4] Albert Feuerwerker, 'Economic trends in the late Ch'ing empire, 1870-1911', in *Cambridge History of China, Vol. II*, ed. by Fairbank and Liu, p. 33. For the nineteenth-century industrialisation of Shanghai, see also Bergère, *Shanghai: China's Gateway to Modernity*, pp. 59-63.

during the First World War due to the fall in overseas competition and the concurrent global rise in demand.[5] The scale of the growth in the textile industry was similar to that seen in the English industrial revolution, but over the course of just three decades. For example, the number of cotton spindles and looms in operation roughly doubled between 1913 and 1920, from 484,192 spindles and 2,016 looms to 842,894 and 4,310 respectively.[6] The cotton mills which the English missionary Samuel Couling noted dominated the Shanghai cityscape in the quotation that opens this chapter were the source of much of both the city's wealth and its inhabitants' suffering. Shanghai thus earned a reputation for industrial exploitation alongside the other vices for which it was known.

The Shanghai Municipal Council followed a long tradition of laissez-faire governance and was slow to respond to concerns over the welfare of industrial workers in the International Settlement. Change in this area only came with a combination of pressures from local and international institutions and welfare groups, predominantly directed or promoted by women, and from the Chinese government when it took action to instigate industrial reform. The council was arrogantly proud of the modernity of Shanghai, attributing this to the activities of foreigners in the International Settlement and in no small part to the specific role played by the SMC itself. Industry was a key component of modernity in the nineteenth and early twentieth centuries, through the mechanisation of traditional practices, the sociological impact of bringing workers together in the close confines of factory employment, and the cultural effect of the new consumption of manufactured goods: the growing significance of the 'things modern' which Frank Dikötter

[5] Bergère, *Golden Age*, pp. 64-83.
[6] Bergère, *Golden Age*, p. 71.

has analysed.[7] With such wide-reaching implications for society, industry lay at the heart of Shanghai's celebrated status as the most modern city of East Asia. As the SMC claimed much of the credit for creating the environment in which modernity flourished, it was also staking its reputation on the quality of the industry in the International Settlement. When, therefore, criticism of industrial working conditions there began to trickle and later pour in from London, Geneva and Sydney, not to mention Nanjing, the council reluctantly had to act to salvage this reputation by promoting industrial reforms as best it could.

This final chapter provides a case study of how the policies pursued by the Shanghai Municipal Council were influenced by local, national and international forces, focusing on the realm of industrial reform. This area, peripheral to municipal activities until the late 1930s, provides a revealing example of how the nature of the council and its priorities changed over time. Many of the facets of the SMC which have been drawn out in the preceding chapters are further in evidence in its activities in industrial reform, including the imperial and transnational networks within which it functioned and the degree to which it shaped the city of Shanghai, including the form and conception of the city's modernity. Municipal efforts to regulate industrial conditions were frustrated by the council's lack of legal authority to pass and enforce laws in the Settlement, so they centred on the use of byelaws and other creative ways around the constraints of the Land Regulations. In this way, in the area of industrial reform, as in public health and more literally in matters of defence, the council continued to pursue its policy of seeking to expand its powers and authority by whatever means it could. Politically-active Chinese were sensible to this and opposed attempts by the council to extend its powers into areas not specifically provided

[7] Dikötter, *Things Modern.*

for in the Land Regulations, further complicating efforts to improve industrial conditions. This chapter therefore addresses the council's relationship with Chinese nationalism as it grew in the 1930s. It also engages with the growing literature which reassesses the Guomindang government's efforts to develop China, as legislative initiatives from Nanjing influenced and were influenced by municipal activities in the realm of industrial reform, perhaps more than in any other area of governance.[8]

One important new aspect of the council's nature becomes apparent over the following pages: its place within the development of a global women's movement in the inter-war years, largely through the dynamic figure of Eleanor Hinder, who ran the council's Industrial Division. As Emily Honig has shown, industrial conditions in Shanghai were to a great extent a women's issue, as the majority of the exploited textile workers were women.[9] The suffering of women and particularly children in Shanghai's factories prompted women's groups to appeal to the council for action. It was appropriate, therefore, that the SMC should appoint a woman to direct industrial reform. This chapter thus sees a more gendered approach to the history of the council than is possible or appropriate in the rest of the thesis.

The chapter follows a broadly chronological approach to the council's industrial activities. It briefly addresses the council's limited concern with industrial conditions in the first decades of the twentieth century, before turning to the first serious attempts to regulate industry in the Settlement in the mid-1920s, in response to public pressure to control the

[8] For some early examples of this development in the literature, see *China Quarterly*, No. 150, Special Issue: Reappraising Republican China (June 1997). More recent work in this vein includes Felix Boecking, 'Unmaking the Chinese Nationalist State: Administrative Reform among Fiscal Collapse, 1937-1945', *Modern Asian Studies*, Vol. 45, No. 2 (2011), pp. 227-301, and other contributions to this special issue of the journal.

[9] Honig, *Sisters and Strangers*.

use of child labour. The promulgation of the Factory Act by the Nanjing government in 1929 precipitated more wide-reaching reforms in the Settlement and the establishment of the council's Industrial Division, which is analysed in some detail. Finally, the activities of this Division during the Second Sino-Japanese War are assessed, as they represent a microcosm of how the council and its functionality was affected by the war and the Japanese occupation.

Early municipal concern over industrial conditions

Prior to the establishment of a specific division to address industrial conditions, scant attention was paid by the SMC to such issues. When they did arise, they fell under the purview of the Watch Committee, inasmuch as the public order of the Settlement was affected. The first reference in the minutes of the committee to such disorder came in June 1910 when the Captain Superintendent of Police reported that women workers at silk filatures in western Hongkou had created a public disturbance due to their employers withholding their pay as security for their work.[10] The committee determined that a letter should be addressed to the managers of the ten filatures involved, instructing them to avoid the practice as it was likely to create breaches of public order by the workers.[11] The factories were later told that if they employed practices which were found to be behind public disturbances they would be liable to prosecution.[12] The council took action, therefore, not out of concern for workers' welfare but for the sake of public order, in keeping with its conviction that its primary function was to provide an environment conducive to business.

[10] This was common practice in Shanghai's factories and is related to the system of contract labour that Honig describes. Honig, *Sisters and Strangers*, pp. 94-115.
[11] U1-1-83: Watch Committee, 13 June 1910.
[12] U1-1-83: Watch Committee, 3 October 1910.

The general strike of June 1919 during the May Fourth Movement represented the first major industrial action in the city, but the protest was political rather than arising from poor working conditions. It nonetheless warned the council of the power of strike action to damage public order and business and industrial interests, as well as inconvenience the foreign community.[13] In 1922, the Hong Kong government's heavy-handed response to a strike by the Seamen's Union, including the killing of five strikers by the police, escalated the dispute to a general strike almost paralysing Hong Kong.[14] Following this, the Deputy Commissioner of the SMP, Alan Hilton-Johnson, argued that the SMC should 'urge businesses to treat labour demands sympathetically, ... support conciliation, and ... avoid "bombastic utterances in official proclamations"'.[15] This was fairly progressive rhetoric for its time in Shanghai (though of course the SMP would fail to learn the lesson from the Seamen's Strike when faced with its own crisis on 30 May 1925) but the stress was still very much on the preservation of public order rather than improving the lot of Shanghai's workers. The same was true of discussions about building regulations: these were revised in 1922 to encourage (though not insist on) the installation of water sprinkler systems in cotton mills where loose cotton constituted a serious fire hazard. The Chief Fire Officer and Commissioner of Public Works were in agreement on the benefits of the measures, in part for the safety of workers within the mills, but primarily for the prevention of fire which could spread to nearby buildings.[16] The members of the Watch Committee were nonetheless reluctant to take any action, arguing that such precautions should be adopted due to incentives offered by insurance companies rather than regulations. They cited

[13] Chen, *The May Fourth Movement*, pp. 144-8.
[14] Steve Tsang, *A Modern History of Hong Kong* (London: I. B. Tauris, 2007), pp. 88-9.
[15] Bickers, *Empire Made Me*, p. 168.
[16] U1-1-87: Watch Committee, 19 June 1922.

favourably the absence of such legislation in English cities, though noted that public places such as theatres in the United States were required to install sprinkler and drencher systems. This reinforces the point that municipal responsibilities were seen in the light of practice globally, predominantly in the Anglo-Saxon world (or what James Belich calls the Angloworld)[17] but most particularly in Great Britain, with a preference on the part of the council for examples that supported minimal municipal involvement or action. But by the 1920s, outside expectations of the council's responsibilities were growing.

Part XIII of the Treaty of Versailles included a provision which established the International Labour Conference and its Office at Geneva, under the auspices of the League of Nations. All the founding member states of the League, including China, were automatically members of the Conference, and at the Washington Conference later in 1919 Germany and Austria, despite their status as defeated powers at Versailles, were also admitted with the same rights and obligations as the other members.[18] The desire was for universal application of the principles for which the Conference stood around the globe. Particular attention was paid to China from the beginning, due to its size and the scale of its industrial problems. The Commission of Special Countries at the Washington Conference proposed that China be asked specifically to adhere to the principle of protection of labour by factory legislation, recommending regulating a maximum ten-hour day or 60-hour week for adults, with shorter hours for those under 15 years, and a weekly rest day.[19] This was indeed enacted by the national government under the precarious presidency of Li Yuanhong

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[17] James Belich, *Replenishing the Earth: The Settler Revolution and the Rise of the Angloworld, 1783-1939* (Oxford: Oxford University Press, 2009).
[18] International Labour Office, *The International Labour Organisation: The First Decade* (London: George Allen & Unwin, 1931), pp. 36-37.
[19] Fang Fu-an, *Chinese Labour: An Economic and Statistical Survey of the Labour Conditions and Labour Movements in China* (Shanghai: Kelly & Walsh, 1931), pp. 130-131.

in March 1923, with further stipulations that boys under ten and girls under twelve were not to be employed, while older minors were to be employed only in light work and not at night. Employers were also to ensure that primary education and basic health care were provided for all – very far-reaching goals by the standards of the day. This demonstrates that, even prior to the stronger government established by Chiang Kai-Shek in 1927, attempts were being made at better governance in the new republic. Similar laws were passed by the colonial government of Hong Kong, following the recommendations given by its own commission on child labour in October 1921.[20] But the Chinese government regulations included no measures for enforcement and thus had no real impact, Beijing being too weak to impose its will on the nation. Similar laws passed by provincial governments, such as the Jiangsu Governor's ruling that the working day should be no more than nine hours and that workers should be given Sunday as a day of rest, were also not enforced.[21] The Shanghai Municipal Council, therefore, saw no need to enforce such measures in the Settlement alone, nor to introduce similar restrictions on labour practices which would place employers in the Settlement at a disadvantage vis-à-vis their counterparts beyond the reach of municipal control. It would take considerable and sustained pressure for it to change in this regard.

[20] *NCH*, 30 September 1922, p. 928.

[21] Jean Chesneaux, *The Chinese Labor Movement, 1919-1927*, trans. by H. M. Wright (Stanford: Stanford University Press, 1968; first published in French in 1962 as *Le mouvement ouvrier chinois de 1919 à 1927*), p. 228. Jiangsu bordered Shanghai so it is particularly noteworthy that its governor was forward-thinking in industrial reform, even though his aims were not realised.

The Child Labour Commission

It was women's groups that took up the issue of child labour in Shanghai seriously. After a series of letters were exchanged in the *North-China Daily News (NCDN)*, the most widely-read English-language daily in China, a Joint Committee of Women's Groups (later Organizations) met in November 1921 to decide how best to go about ending the practice of employing children in industrial work.[22] They decided that legislation would be the most effective weapon and, with this in mind, targeted the Shanghai Municipal Council. The Joint Committee included the Young Women's Christian Association (YWCA) as well as American, British, German and Chinese women's groups based in the city, but the YWCA took the lead initially.[23] One of the only studies of industrial reform in China in this period, by Robin Porter, finds that it was Christian groups and the Shanghai Municipal Council which provided the impetus for reform in this area, attributing influence to statements made by the Church of England and other churches in Britain and the United States that more must be done to improve the conditions of labour around the world.[24] Porter's emphasis on the council's role, however, gives it too much credit for action which it took only reluctantly and denies agency to Chinese who campaigned for change both within the structures of the YWCA and the SMC, and from within the Guomindang government, as shall be seen below. Missionaries and other Christian groups were certainly vocal supporters of industrial reform, however, especially the YWCA in this early stage.

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[22] State Library of New South Wales, Mitchell Library (hereafter ML) MSS 770/20/2: Joint Committee of Shanghai Women's Organizations, Bulletin No. 1: 'Toward the Regulation of Child Labour in Shanghai', compiled by E. M. Hinder (May 1927), p. 6.

[23] The YMCA was also calling for industrial reform in China in this period, though it was less involved in the high-profile campaign against child labour. See Porter, *Industrial Reformers in Republican China* , pp. 48-61. Peter Zarrow emphasises the importance of the YWCA, describing it as the sole autonomous organisation providing forums for women workers outside the Guomindang's control at this time. Peter Zarrow, *China in War and Revolution, 1895-1949 (London: Routledge, 2005)*, p. 261.

[24] Porter, *Industrial Reformers*, p. 98.

Agatha Harrison, who had been appointed by the YWCA to investigate industrial conditions in China after holding the first academic post in Britain concerned with industrial welfare (at the London School of Economics), visited the chairman of the SMC, H. G. Simms, to discuss the introduction of a municipal byelaw to regulate conditions in factories in the International Settlement.[25] They had 'a lengthy interview' in which she persuaded him that the council should take action on child labour, despite him listing the difficulties the council would face in attempting to do so.[26] When it subsequently discussed what could be done, however, the council concluded that results would only be achieved if Chinese and foreign factory and mill owners inside and outside the Settlement could be brought to unanimous agreement, which seemed highly unlikely. Further, council members argued that the fault was not with such owners for employing children but with the parents for sending them out to work. The practice could therefore be ended only 'by a process of gradual education and by improvement of the labourers' lot.' This was tantamount to stating that nothing could be done at the municipal level. The only action the council recommended was to refer the question to the Employers' Federation for their consideration. The Federation reported back that it and the Cotton Mill Owners' Association had discussed the subject and communicated with the Chinese General Chamber of Commerce, and informed the council of the Chinese government's plans to legislate against the employment of children.[27] The council would happily have let the matter rest there, but the Joint Committee wrote to the chairman publically calling for the appointment of a

[25] Geoffrey Carnall, 'Harrison, Agatha Mary (1885-1954)', in *Oxford Dictionary of National Biography*, eds. H. C. G. Matthew and Brian Harrison (2004) <http://www.oxforddnb.com/view/article/47749>, accessed 22 August 2011.
[26] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXII, 15 November 1922, p. 211.
[27] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXII, 24 January 1923, p. 16.

commission to investigate child labour. Divided on the subject, the council finally and reluctantly agreed and the commission was endorsed by the ratepayers at their annual meeting.[28] The women had achieved their first small victory by raising the public profile of the issue of child labour. Significantly, the precedent set in 1921 when the Hong Kong government appointed its own commission on child labour had been discussed in the English-language press and increased the likelihood of similar action in Shanghai: in many areas of policy, where colonial Hong Kong laid the path, semi-colonial Shanghai followed.

Agatha Harrison and the Secretary of the Joint Committee, Song Meiling (one of the famous Song family, sister of T. V. Soong [Song Ziwen], the Minister of Finance, and the future Madame Chiang Kai-Shek) were among the members appointed to the commission by the council.[29] They were joined by Dr Mary Stone (Shi Meiyu) who was the first Chinese woman to earn a medical degree from an American university.[30] Alongside these prominent women on the commission were representatives of industrial and business concerns such as R. J. McNicol, Manager of Jardine, Matheson and Company, which had always had close ties to the council and had recently declared its intention to prohibit the employment of boys under ten and girls under twelve in its mills. The praise which this limited measure elicited indicates the extent of employment of very young children in industrial Shanghai. Simms informed the members of the commission at their first meeting that the council believed the best route forward would be to follow the regulations recently promulgated by the Chinese government and to work out how best to implement them

[28] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXII, 28 March 1923, pp. 316-17; *Municipal Gazette*, 16 April 1923.
[29] A recent thorough popular biography of Soong Meiling is Hannah Pakula, *The Last Empress: Madame Chiang Kai-Shek and the Birth of Modern China* (London: Orion, 2010). Pakula points out that Soong's appointment to the Child Labour Commission was her first political role (p. 71).
[30] Daniel H. Bays, *A New History of Christianity in China* (Chichester: Wiley, 2012), p. 115.

uniformly across Shanghai. Simms was confident, he said, that the French Municipal Council would cooperate with whatever proposals the SMC put forward.[31] Clearly he, at least, was sure of the council's status in the driving seat of change in Shanghai. The *North-China Herald*, the weekly digest of the *NCDN*, agreed, welcoming the commission as 'an illustration of how very far Shanghai has travelled'. Harrison had successfully won the paper over to her cause and it was now a champion of child labour legislation, a significant boon to the women's groups. It coupled its support with congratulations to the SMC:

> the Municipal Council, which a comparatively little time ago was considered hardly more than a glorified ways and means organization, has set its hand to a great piece of social legislation in respect of which it may blaze a trail for all China to follow.[32]

The journalist was accurate in noting the vast expansion of the council's activities from being simply a 'ways and means organization' to attempting to legislate for social reform. Yet, in keeping with the blinkered view typical of the *NCH*, he neglected to note the chairman's recognition that it was Chinese legislation that was being taken as the model for the commission's recommendations. The foreign residents of the 'Model Settlement' liked to enhance its self-perception as a beacon for enlightened governance in China, but in the area of industrial legislation it was behind the Chinese government in terms of ambition for change – though enforcement of such ambitious legislation was, of course, another matter. In the Shanghailander world-view, the International Settlement was necessarily the most advanced place in China, regardless of what laws were passed in Beijing or, later, Nanjing.

The Commission was later augmented by Dame Adelaide Anderson, formerly the Chief Lady Inspector of Factories in Britain, during her visit to China in 1924, when she

[31] Report of meeting held 22 June 1923, *NCH*, 7 July 1923, p. 63.
[32] *NCH*, 14 July 1923.

also met and advised Chinese officials in Beijing and elsewhere.[33] The links between the International Settlement and both China more widely and Great Britain were thus again apparent, as was the critical part played by women. While the Commission investigated the conditions of child labour in Shanghai, the women's groups kept up their pressure for reform. Harrison had appealed to the international committee of the YWCA to send their own delegation to look into the question, so Mary Dingman and Evelyn Fox, both Americans, visited China in 1923. After an initial consultation with the national committee of the YWCA, they travelled on to Australia where they met Eleanor Hinder, who was persuaded to go back with them to see the factories of Hong Kong, Canton and Shanghai.[34] Harrison encouraged Hinder to move to Shanghai and work for the YWCA, investigating industrial working conditions and campaigning for reform. Sarah Paddle has discussed the ways in which a critical mass of western women in Shanghai including Hinder, Anderson, Harrison and Dingman self-consciously identified themselves as 'world women' or international feminists and worked together in a mutually supportive network aimed at raising the position of Chinese women.[35] The YWCA was the key organisation that linked these campaigners and Hinder's work for the YWCA connected her to all them. It also brought her into contact for the first time with the Shanghai Municipal Council, whose

[33] Anderson made her visit to China in what was intended to be a short diversion on an extended visit to study labour conditions in Australia and India. She was then invited to join the SMC's Child Labour Commission, so extended her stay in Shanghai. Her perspective on the progress made by the Child Labour Commission is surprisingly positive about the SMC, due presumably to the welcome she was given in the Settlement. Adelaide Mary Anderson, *Humanity and Labour in China: An Industrial Visit and its Sequel (1923 to 1926)* (London: Student Christian Movement, 1928), pp. 32, 125-62.

[34] MLMSS 770/13/8: draft of uncompleted autobiography of Eleanor Hinder, chapter 5, p. 2. Hinder spoke at Dingman's service of remembrance in New York in 1961, recalling that 'I owe a great deal personally to Mary Dingman' and indeed that she had lead the life she had due to meeting Dingman in Sydney in 1923. MLMSS 770/9/1: Order of Service for Mary Dingman's Service of Thanksgiving.

[35] Sarah Paddle, '"For the China of the Future": Western Feminists, Colonisation and International Citizenship in China in the Inter-war Years', *Australian Feminist Studies*, Vol. 16, No. 36 (2001), p. 326.

members, representing as they did the business interests of the Settlement, she found obstructive and unreceptive to what they saw as 'interference ... from well-meaning social workers.'[36]

The Child Labour Commission submitted its findings and recommendations to the council in August 1924, to much fanfare in the *NCH*, which called the report 'easily one of the most significant documents published in this country.'[37] In general, the report focused on the poor health of children in Shanghai compared to those in rural China, due to cramped conditions, long, arduous and dangerous working conditions, and extreme poverty.[38] They found that conditions were worst in the silk filatures, where almost the entire workforce was female, with approximately one child for every two adult workers. Children worked the same hours and shifts (typically twelve hours, including night shifts) as adult workers, for around half the wages. There was no consideration for even basic fire precautions. Cotton factories were considered only marginally better, but conditions in tobacco factories were less appalling, as the shifts were limited to nine to ten hours of comparatively light work which could be done while seated. Match factory workers were even given a day of rest each week. The match industry, however, was beset with safety problems, including the continued use of phosphorous (banned in most western countries in 1908), which led to phosphorous poisoning. Working conditions in general, not just for children, were thus badly in need of regulation and improvement.

The members of the commission had found that little interest was taken in their work and that witnesses were slow and reluctant to come forward, but they succeeded in

[36] MLMSS 770/19/8, A. Constance Duncan, 'Women in Pioneering Jobs', No. 1: Eleanor Hinder: Talk to be broadcast over 3.L.O. on 9 March 1938(?), based on interviews with and observation of Hinder in Shanghai.
[37] *NCH*, 9 August 1924, p. 203.
[38] 'Report of the Child Labour Commission', *Municipal Gazette*, 19 July 1924.

producing the first serious investigation into labour conditions in Shanghai. The commission's report included the comment that legislative solutions would be difficult in view of the lack of central government in China, in line with the council's own objections to municipal action on the question. Nevertheless, the commission recommended a minimum age, maximum working hours and other measures in line with those recommended by the ILO and legislated by the Chinese government in 1923.[39] It also looked to best practice within China and Asia, pointing to the safety procedures followed in a Chinese silk filature in Hangzhou and in common use in Japan whereby the boiling room was kept separate from the cocoon reeling room, and cocoons were cooled before being peeled. It is significant that regional, national and international precedents were taken as models by the self-proclaimed model settlement.

The council drafted a byelaw based on the Commission's report for submission to the ratepayers at a special meeting in 1925. The press was flooded with letters over the proposals, both in support of the legislation, many of which were written by women in the various organisations that were involved in the campaign, and in vocal criticism of it. Critics who wrote to the editor of the *North-China Daily News* ranged from such foreigners as the writer who adopted the penname 'Shanghailander' to Chinese like Waung Mau. The latter warned that girls deprived of an honest living would find an alternative in the brothel and quoted the defence of the continuance of child labour given to the council by the Chinese Cotton Mill Owners' Association that attempts to eliminate it were unsuccessful 'owing to the pitiful requests of the parents of the children.'[40] A change in employment practices would not be easily won. But many employers signalled their support for

[39] Ibid.
[40] *NCH*, 4 April 1925, p. 31.

legislation, as evidenced in a letter signed by prominent British, American, Chinese and Japanese companies and published in the *NCH*.[41] The tide of popular opinion was shifting in the direction of municipal intervention to improve social conditions, as the perception of the role of a modern government expanded to encompass basic welfare legislation.

Yet, despite increased support for the proposed new byelaw, when it came to the special meeting to approve it, a quorum was not obtained. 399 ratepayers turned out for the meeting, representing between them 622 votes, significantly short of the one third of ratepayers' votes (which equated to 924 in 1925) required for the quorum. The *Herald* mourned this lost opportunity and the signal it sent to the world that Shanghai did not care, 'as if, perhaps, the attractions of a fine day and a game of golf were too much to be resisted, even for a matter of profound humanity and vital importance' - terms that presaged Arthur Ransome's damning description of the 'Shanghai Mind'.[42] This was strong criticism of Shanghailanders from the organ which was usually their staunchest ally. Some blamed the Japanese community for staying away, partly it was thought because many of them could not follow business presented solely in English and the council had dismissed a suggestion to provide a simultaneous translation because it would set a precedent: Anglo-American interests still utterly dominated the council at this stage. But the *NCH* journalist pointed out that the Japanese ratepayers represented only 266 of the total and many of them were in fact present, so they could not be blamed for the failure to reach a quorum. Apathy, conservatism and a strong aversion to anything that might entail a cost to businesses on the part of the majority of voting ratepayers were the major blocks to socially progressive

[41] *NCH*, 11 April 1925, p. 56.
[42] *NCH*, 18 April 1925, p. 88. Arthur Ransome published his articles, including 'The Shanghai Mind', written for the *Manchester Guardian* during his stay in China in 1926-27, as *The Chinese Puzzle*. See Bickers, *Britain in China*, pp. 51-52.

policies throughout the existence of the International Settlement, coupled with the inadequate and dated procedures laid down by the Land Regulations. The need to call a special meeting to approve new byelaws was less of a problem in the nineteenth century when there were fewer distractions for ratepayers, but by the 1920s Shanghai offered many more enticing ways to pass the time that sitting in the town hall. The attempt to reduce the incidence of child labour suffered from this: public opinion had shifted towards greater municipal control of working conditions, but not enough to achieve legislative change.

Political events then obstructed further efforts to unite Chinese and foreign groups in support of municipal action on child labour, as the May Thirtieth Movement (itself one of the biggest labour movements in Chinese history, with a 119-day strike)[43] made it impossible for Chinese to support the SMC and any action it promoted in any way. The second attempt to pass the byelaw at another special meeting was made just three days after the infamous shooting of twelve Chinese protesters by the SMP. Despite a higher turnout – 514 ratepayers were present – the number of votes represented at the meeting still fell short of the quorum by 177.[44] In addition to the groundswell of anti-SMC feeling that followed the incident, it did not help the campaigners that the child labour byelaw was being tabled with other municipal regulations that were unpopular with Chinese residents, including one that would restrict the freedom of the press. Even without this complication, nationalists held that regardless of the merits of the legislation, the SMC had no right to be legislating on Chinese soil. Although Chinese ratepayers were still not eligible to vote in 1925, the support that had been obtained from Chinese firms and groups had been a strong element of

[43] Smith, *Like Cattle and Horses*, p. 185. While the motive for the May Thirtieth Movement was political, expressing anger at foreign imperialism in China, it was tensions in Japanese factories over working conditions that sparked the initial strikes earlier in May 1925.
[44] Joint Committee, Bulletin No. 1, pp. 20-23.

the women's campaign. Eleanor Hinder later recalled that 'Foreign voters were not willing to force a measure providing purely for Chinese social welfare in the teeth of Chinese opposition.'[45] The Chinese women's organisations withdrew their support from the child labour byelaw and the council made no further attempts to regulate child labour through legislation, choosing to await action by the Chinese government on the issue.

International Pressure on the SMC

In addition to its (reluctant) response to criticism in Shanghai, the SMC was not immune to censure from abroad, although Shanghailanders tended to bluster that those in Europe and America had no idea what it was like 'in the East',' while the SMC resisted efforts by the consular body and Foreign Office in London to exert any control over it. The report of the Child Labour Commission was read widely both in China and overseas, and received responses from diverse groups. The Manchester Chamber of Commerce, for example, wrote to the SMC calling on it to adopt the measures recommended by the commission, as reported in the *Manchester Guardian.* The *NCH* reported this support for child labour legislation from Britain's industrial heartland in terms of Manchester calling on Shanghai's foreigners to lead the way to industrial reform in China.[46] Following the publication of the report, the British government made it its business to investigate the conditions in British-owned factories in China and how they compared to other industrial concerns, appointing the Liberal MP Donald Maclean to report following a request from the Ministry of Labour to the Foreign Office in 1924.[47] Maclean concluded that conditions in British factories were

[45] Hinder, *Life and Labour*, p. 6.
[46] *NCH*, 21 February 1925, p. 305.
[47] *NCH*, 4 July 1925, p. 508.

in fact better than most, the main concern in Westminster seemingly to be to avoid international embarrassment rather than seek an improvement in Chinese working conditions. International interest in the question was not confined to Britain. The commission's report reached Sydney and was even briefly taken up by an element within the union movement there as indicative of the exploitative nature of British imperialism to which Australian workers were also subjected.[48]

But in the 1920s there were new players on the international stage, particularly the League of Nations, which had a strong interest in industrial welfare.[49] Indeed, it was concern over the conditions of employment of children in factories that first brought a delegation from the League to Shanghai. Albert Thomas, the first director of the League's International Labour Office (ILO), led the mission in 1924, helping to attract international attention to the issue of industrial conditions in China.[50] Yet Jean Chesneaux, in his seminal work on the emergence of the Chinese labour movement between 4 May 1919 and the establishment of the Nationalist government at Nanjing, was dismissive of the impact of the ILO in China. He described the 1924 visit as 'a mission that had no mandate and no powers, and whose report the organization prudently refrained from publishing.'[51] He argued that the attitude of the ILO towards China suffered 'from the congenital defect of being meekly in line with the League of Nations attitude on colonial questions,' a reference to the

[48] Sophie Loy-Wilson, '"Liberating" Asia: Strikes and Protest in Sydney and Shanghai, 1920-39', *History Workshop Journal*, (Advance access: published online 23 August 2011).
[49] Introductions to the work of the ILO for general consumption made an explicit link between improving labour conditions and the League of Nations' broader aims to promote world peace: 'people living under bad conditions, working far too long every day... will always probably be ready to make war'. Kathleen E. Innes, *The League of Nations and the World's Workers: An Introduction to the Work of the International Labour Organisation* (London: Hogarth Press, 1927), p. 9.
[50] On Albert Thomas and his work at the ILO, see B. W. Schaper, *Albert Thomas: trente ans de réformisme sociale* (Paris: Presses universaires de France, 1959).
[51] Chesneaux, *Chinese Labor Movement*, p. 385.

League's dominance by and support for colonial powers. Chesneaux noted the statement made at the Organisation's inaugural meeting that China was a special case to which western norms could not apply, including expectations about the standard of industrial working conditions. He also damned the ILO for its refusal to engage with the trade unions and communists who, he argued, represented the true nature of the labour movement in China. Some of these criticisms are fair and the ILO's impact on China was certainly limited, but the Chinese government chose to involve the ILO in its industrial reform efforts and the Organisation was far from insignificant in the British world to which the SMC belonged.

The ILO delegation raised international, specifically British, awareness of the conditions prevailing in factories in Shanghai in particular, training greater attention on the report of the Child Labour Commission when it was published, as letters appeared in *The Times* prompting questions to be asked in Parliament. Quoting the Commission's report, the Secretary for Foreign Affairs was asked by the Member of Parliament for Tynemouth 'whether he is aware that children under ten years old work in British-owned mills in Shanghai; what action His Majesty's Government have taken; what action they propose to take; and will Papers be laid?'[52] E. F. Mackay, a former vice-chairman of the Shanghai Municipal Council, defended British factory owners against the criticism appearing in the letters pages, and was himself quoted doing so in answer to Russell's question, but many in

[52] Mr West Russell, HC Deb 18 June 1925, vol. 185, p. 800, <http://hansard.millbanksystems.com/commons/1925/jun/18/british-mills-shanghai-child-labour#S5CV0185P0_19250618_HOC_206>, accessed 30 April 2009.

England were horrified by the description of child labour in British-owned factories in Shanghai.[53]

Chinese newspapers also reported the activities and findings of the ILO in China, seizing on statements made by Thomas during his next mission to China in 1929, which were critical of foreign administrations in Shanghai. *The Times* China Correspondent relayed his comments back to Britain as indicative of a stance at odds with the interests of the treaty powers, an accusation that was repeated in other media across Europe and which Thomas took pains to deny publically.[54] The ILO, like Ludwik Rajchman's Health Organisation described in the previous chapter, was seen by Shanghailanders as too left wing and supportive of Chinese objections to the foreign presence in China, in contrast to Chesneaux's objection that it was in hock to those same powers. In reality the ILO was doing what it could to affect change, working with both the Chinese and foreign authorities to this end and using all the tools at its disposal, not least by raising international awareness of labour issues. The British government could do no more than call on the Shanghai Municipal Council to address the industrial conditions in the International Settlement, having no jurisdiction to exert its authority more forcefully. Yet sensitivity to criticism 'at home', encompassing questions raised in parliament, ILO dossiers and, most importantly, comment in the press, contributed to the SMC's willingness to introduce a byelaw restricting child labour. It may have been one reason why a higher proportion of British

[53] See, for example, the letter from the philanthropist Charles Roden Buxton to the editor of *The Times*, 3 July 1925, p. 12.
[54] See *The Times*, 22 February 1929, p. 10 for Thomas' denial of the article printed on 2 January and 26 April 1929, p. 12 for the China Correspondent's defence of his article.

employers (50 per cent) turned out to the ratepayers' meetings where it was proposed than other national groups.[55]

After letting industrial matters rest following the failure of the child labour byelaw during the turbulent years of the May Thirtieth Movement and the entry of Guomindang troops into Shanghai in early 1927 during the Northern Expedition (1926-28), the SMC returned to the question of industrial reform.[56] Learning from its failure to pass a byelaw restricting the employment of child labour, the SMC confined its efforts to control industrial conditions to its existing powers, which included regulations governing the licensing of buildings. These were therefore tightened to improve basic health and safety standards in factories. Key to the enforcement of these regulations was factory inspection (as stipulated in Article 427 of the Treaty of Versailles) and Eleanor Hinder was appointed Chief of the Industrial Section.[57] This Section gradually took over responsibility for factory inspection from the Fire Department, which had inspected premises for basic provisions against fire hazards. Hinder's Chief of Factory Inspection, Rewi Alley, formally of the Fire Department, was a committed humanitarian. He and Hinder were both dedicated to the betterment of labour conditions in China and shared a conviction in the 1930s that this could best be achieved by service for the Shanghai Municipal Council. Despite its less than impressive record in this field, there was consensus among many foreigners that the council

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[55] Porter, *Industrial Reformers*, p. 111.

[56] On the Northern Expedition, see Hans van de Ven, *War and Nationalism in China, 1925-1945* (London: Routledge, 2003), pp. 94-130; Zarrow, *China in War and Revolution*, pp. 230-36.

[57] Article 427 of the Treaty of Versailles stipulated nine general principles of basic standards of employment, the ninth of which enshrined the need for a system of factory inspection to ensure that laws and regulations for the protection of workers were enforced. It specifically stated that women should be involved in factory inspection to help safeguard female workers, so in appointing Eleanor Hinder the SMC was (probably unwittingly) adhering to this principle. The Labour Party, *International Regulation of Women's Work: History of the Work for Women Accomplished by the International Labour Organisation* (London: Pelican Press, 1930).

had more will and power to realise industrial reforms than the Nationalist Government, locally in Shanghai or nationally, beset as it was by myriad problems in seeking to unify and govern China in this period. Hinder and Alley both facilitated the exchanges that were increasingly taking place between the council and international bodies and Chinese authorities in the field of industrial reform in this period, by raising the awareness of key figures in Geneva, London and North America (notably in New York, Washington, D.C. and Ottawa), and by building relations with Chinese operating at every level of the industrial reform process, as described below. First, we turn to the implementation of the Factory Law at Nanjing and its impact in Shanghai.

The Factory Law: Chinese initiative and the council's reaction

The Guomindang made it a priority to secure popular support in the cities after its split from the Communist Party, and one way to achieve this was to improve industrial conditions. This was not only a method for appealing to the proletariat, the urban core of Communist support, and of seeking stability in this volatile section of the urban population, but it also exemplified the Guomindang's programme of achieving a strong nation through scientific and technical modernity, to which rapid industrialisation was key.[58] When Chiang Kai-shek claimed control of China in 1927, the design and implementation of a factory law was therefore high on the agenda in Nanjing. Among a raft of new laws drafted in the early years of the Nanjing government, the Factory Law was one of the first, enacted as it was in

[58] William C. Kirby, 'Engineering China: Birth of the Developmental State, 1928-1937', in *Becoming Chinese: Passages to Modernity and Beyond*, ed. by Wen-hsin Yeh (Berkeley: University of California Press, 2000), pp. 137-9.

1929.[59] It was officially promulgated on 1 August 1931 and on the same day, so as not to appear tardy in industrial reform – either to those who had long clamoured for municipal action in the Settlement or to international observers – the Shanghai Municipal Council issued its own statement endorsing the principle of industrial regulation and indicating its intention to work towards safe working conditions.[60] Following the law's promulgation, inspectors appointed by the City Government undertook initial surveys of conditions in factories throughout Shanghai in consultation with Dr Chen Da of Tsinghua University in Beiping and Eleanor Hinder. In the Settlement these inspectors were sometimes accompanied by employees of the municipal fire department, but often they visited unaccompanied on the invitation of Chinese factory owners as the municipal government took the initiative to carry out inspections in the absence of an agreement on the issue with the SMC.[61] As a result of the investigations, it was agreed that most factories were so far from operating under the conditions required by the Factory Act that it would be impossible for all of its ambitions to be met at once, so certain aspects of the legislation were given priority for immediate application, while longer would be allowed to work towards realising the full implications of the law. The city government's Bureau of Social Affairs declared 17 clauses of the law impracticable, but after consultation between Dr Chen and Hinder, those measures which they considered the most desirable and achievable were

[59] New legislation included the new constitution that was enshrined in the series of Organic Laws passed in the late 1920s and early 1930s, the civil code of 1929-31 that, *inter alia*, enfranchised women and gave them far greater rights, and the less liberal censorship law of 1930. Julia Strauss, 'The Evolution of Republican Government', *China Quarterly*, No. 150, Special Issue: Reappraising Republican China (June 1997), p. 343; Zarrow, *China in War and Nationalism*, pp. 261, 264; For an argument that the organic laws were significant despite their limited application, see Suisheng Zhao, *Power by Design: Constitution-making in Nationalist China* (Honolulu: University of Hawai'i Press, 1996). For more on the Nanjing government's efforts at state-building, see the rest of Strauss's article and Zarrow, *China in War and Nationalism*, pp. 251-4.
[60] Hinder, *Life and Labour*, p. 7.
[61] Report of Camille Pone.

published for the information of factory owners.[62] All credit for the recommendations was publically attributed to Chen, as foreign influence in the form of Hinder, even though she did not yet represent the SMC, would have made their advice less palatable.[63]

The limited application of the law reflected current practice in Shanghai's factories: article 15, for example, was among those earmarked for immediate implementation, as it called for a day of rest each week, which many employers were already allowing. Articles 41-43, specifying minimum safety provisions against fire and injury from machinery, the provision of good light and ventilation, adequate toilet facilities, and training for the prevention of accidents, were also to be enforced with immediate effect as they were considered among the most important measures that could be taken to improve industrial safety. But clauses such as article 37, requiring factories to provide women with eight weeks of paid maternity leave, were suspended as placing an impossible burden on factory owners and as they were considered less important.[64] All parties – the ILO with its representatives in China, the Chinese government nationally and in Shanghai, the councils of the International Settlement and the French Concession (though as the latter had virtually no factories the French *Conseil municipal* had little input in the negotiations), and the bodies such as the Employers' Federation which represented the interests of factory owners – agreed that the legislation must be confined to achievable limits. The SMC had long cited the impossibility of enforcing the provisions of the Factory Law as an excuse for its own

[62] *Shenbao*, 12 November 1931.
[63] U1-6-111: the Secretaries of the Employers' Federation to the Secretary of the SMC (Fessenden), 24 July 1931.
[64] U1-6-111: Chen Da and E. M. Hinder, 'Summary note on Inspection of Factories', 17 November 1931. In this instance, eight weeks was considered to be far longer than necessary for maternity leave.

inaction, but now there was an achievable set of objectives the council had to demonstrate that it was genuine in its desire to seek industrial reform.

The next step was for the council to enter negotiations with the Chinese authorities on the issue of factory inspection, which was to become a decade-long barrier to effective industrial legislation in Shanghai. The Chinese position was put by O. K. Yui, Secretary General of the Shanghai City Government, while his counterpart, Stirling Fessenden, represented the SMC in negotiations. The two held intractable opposing positions: Yui insisting that City Government inspectors must be allowed to inspect factories in the International Settlement as in the rest of the city to ensure equitable enforcement of the Factory Law; Fessenden equally adamant that this would be an infringement of the principle of extraterritoriality and thus a violation of the treaty rights of the foreign powers. Fessenden argued that factory inspections in the Settlement could only be undertaken by the council's own employees and could only enforce legislation agreed by the ratepayers.[65] At stake was the autonomy of the Settlement, which the British consular body in China was equally determined to defend: Sir Miles Lampson at the British sub-legation in Nanjing (the legation remained in Beiping even after the capital moved south) used the simile coined by members of the council, that 'one ship could not have two captains.'[66] This echoed the view of the British Government as contained in a White Paper, *Labour Conditions in China*, which was published in 1924. But Westminster had also repeatedly made clear its condemnation of the SMC's tolerance of poor working conditions, as in an impassioned

[65] SMA U1-6-112: S. Fessenden to E. Cunningham, recalling the negotiations, 18 October 1933.
[66] U1-6-112: Minutes of meeting between SMC and Waijiaobu officials, 12 October 1933, enclosed in letter from Miles Lampson, British sub-legation in Nanjing, to J. Davidson, Acting British Consul-General in Shanghai, 13 October 1933.

debate of 1927.[67] In seeking to maintain support in London, the SMC had to find a way in which the measures of the Factory Law could be implemented in the Settlement without infringing the principles of extraterritoriality and the autonomy which was claimed in its name. This would in fact bring it into conflict with the consular body, charged with representing British interests in China.

Initial efforts to reach a compromise were led by the ILO. Adelaide Anderson and Camille Pone were sent to Shanghai in response to an invitation from the Chinese Government extended by Dr K. H. Kung, Minister for Industries, to mediate between the two sides. In his report to the ILO, Pone emphasised the necessity of focusing on the practical matter of how to organise a factory inspection service to the satisfaction of both sides, to avoid being seen to have a political agenda.[68] After dragging its feet for so many years, the council now listened to the reports of Anderson and Pone on the dangerous conditions prevailing in factories and investigated how it could proceed. Its own Municipal Advocate, R. T. Bryan, advised that under the conditions of the Mixed Court Rendition Agreement of 1927, Chinese laws were applicable within the Settlement as long as they did not conflict with the Land Regulations, and would be enforced in the courts (primarily the Shanghai Provisional Court which replaced the Mixed Court).[69] Bryan advocated the strong enforcement of the Factory Law in the Settlement, citing a fire in the Sung Sing Cotton Mill in which six women died due to the fire doors being locked. This was illegal under Article 24 of the Factory Law, so had it been followed the deaths would not have occurred.

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[67] HC Deb 10 February 1927, Vol. 202, Cc. 310-426.
<http://hansard.millbanksystems.com/commons/1927/feb/10/sir-a-chamberlains-statement>, accessed 30 October 2011.
[68] U1-6-111: Report of Camille Pone, Head of Diplomatic Section, International Labour Organisation, Geneva, January 1932.
[69] U1-6-111: R. T. Bryan to Stirling Fessenden, 24 October 1931.

The Employers' Federation, though less enthusiastic about factory regulation, also agreed that premises should be inspected to enforce the basic provisions of the Factory Law, though it insisted that inspection should be kept strictly in the council's control. All advice to the council thus concurred that the key provisions of the law should be implemented. The talks with the Chinese authorities progressed and an agreement appeared to have been reached whereby regulations identical to those aspects of the Factory Law which were being applied would be enforced within the Settlement by Chinese-trained inspectors reporting to the municipal councils. Satisfied that their work was done, Pone and Anderson returned to Europe.[70] Yet this accord broke down almost as soon as they left, due to the council's suspicions that the Chinese intention was to gain control of the Settlement: Ernest Macnaghten, the council chairman, warned the American Consul-General, Edward Cunningham, that 'the local Chinese authorities persist in their ceaseless efforts to establish Chinese bureaucratic administration within the Settlement.'[71] It was thus the defensive character of the council, identified in chapter three, which made it so hostile to efforts to enforce the Factory Law in the Settlement.

Nonetheless, the council's public commitment to industrial regulation prompted Eleanor Hinder to write offering her services to organise an inspectorate to make this happen.[72] Her experience at the YWCA and advising the Chinese government made her well-placed for the task and the council, recognising that it would be unlikely to find another equally well-qualified candidate, accepted her offer. The outbreak of Sino-Japanese

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[70] C. Pone, 'Towards the Establishment of a Factory Inspectorate in China', *International Labour Review*, Vol. 25, No. 5 (May 1932), p. 604. The details of the agreement reached are laid out in this article, along with Pone's agreement with the points raised by the Nationalist Government concerning the difficulty posed by extraterritoriality.

[71] U1-6-111: E. B. Macnaghten to Edward Cunningham, 14 May 1931.

[72] U1-6-111: E. M. Hinder to Chairman, SMC, 13 December 1931.

hostilities in January 1932 postponed efforts by the council and the Chinese authorities to implement industrial reforms in Shanghai and it was not until a year later than Hinder was appointed Chief of the newly created Industrial Section of the SMC, initially under the Secretariat. In early 1933 the council moved to pass its own byelaw to permit licensing of industrial premises (as it already enjoyed in a variety of concerns with a bearing on public health, as seen in the previous chapter). This enabled it to appear to be taking action on the issue but retaining complete jurisdiction of control over factories in the Settlement, which was sure to rankle with the Chinese authorities. Moreover, following the rendition of the Mixed Court, any infringements of the new byelaw in factories under Chinese ownership would have to be prosecuted in the new First Special District Court, which was unlikely to co-operate with the council's attempt to circumvent the national Factory Law. Hinder, new in post, tried and failed to dissuade the council from taking this unilateral action and alienating the Chinese authorities and factory owners. Unlike the efforts to change the byelaws in the 1920s, this time the council was able to secure a quorum at a special meeting of the ratepayers and the byelaw was passed and then ratified by the consular and diplomatic authorities, who adhered to the British position that extraterritorial privileges should be preserved, even at the expense of souring relations with the Chinese authorities.[73] Despite this victory, the council did not invoke its new right to license factory premises, fearing the Chinese reaction, so Hinder's Industrial Section operated by means of persuasion and education rather than inspection and prosecution.

Following this provocation by the council, it is unsurprising that the second round of negotiations over the implementation of the Factory Law stalled in 1933. The Chinese

[73] *Municipal Gazette*, 20 April 1933.

proposed a joint inspectorate for all industrial premises in Shanghai, which would report to all three municipal authorities. But the SMC rejected the notion that it should share jurisdiction in the Settlement, and instead reiterated its position that separate inspectorates should enforce legislation similar to but distinct from the Chinese Factory Law. A stalemate ensued and international observers despaired at the inaction of both the Settlement and Chinese authorities.[74] Finally in 1936 an attempt to find a compromise succeeded. The SMC relented to the enforcement of the Factory Act itself in the Settlement, rather than municipal byelaws, on condition that the Chinese government delegated authority for this to its own staff, removing the contentious element of inspectors under Chinese employ operating within the Settlement. Again, the council was subject to increasing international pressure, especially as the Nationalist government had strengthened its position in the ILO, holding a seat on its Governing Body from 1934.[75] This time it was the consular body that blocked progress, holding fast to the principle that Chinese law could not be applied to factories owned by foreigners who enjoyed extraterritorial privileges. For once, the council was not the most conservative foreign voice in Shanghai. The outbreak of the Sino-Japanese War the following year put paid to any further efforts to enforce the Factory Law

[74] J. R., 'Shanghai Lagging in Factory Control', *Far Eastern Survey* (published by the US-based Institute of Pacific Relations), Vol. 4, No. 23 (20 November 1935), pp. 186-7.

[75] Marguerita Zanasi describes the way in which the Nationalists were 'able to manipulate the League's experts to their advantage' in her study of three League technical advisors in China. Marguerita Zanasi, 'Exporting Development: The League of Nations and Republican China', *Comparative Studies in Society and History*, Vol. 49, No. 1 (2007), p. 146. Zhang Li considers labour problems a key site of international cooperation in China. Zhang Li, *Guoji hezuo zai Zhongguo: guoji lianmeng jiaose de kaocha, International Cooperation in China (A Study of the Role of the League of Nations, 1919-1949)* (Taipei: *Zhongchang yanjiuyuan jindai shi yanjiu suo*, 1999), pp. 267-99.

in the Settlement, so the council and consular body were successful in preventing Chinese infringement of the autonomy of the Settlement.[76]

The work of the Industrial Section: the power of persuasion

Eleanor Hinder was determined that the absence of municipal legislation governing industry would be no barrier to improvements in working conditions in the Settlement. The first task was to compile data about the existing situation so she and her staff knew precisely what problems they were dealing with and in order to present an accurate picture of the realities in Shanghai's factories to the media and other influential voices. Much has been written about the propensity of colonial governments, from the British in India to the Japanese in Taiwan, to compile statistics on the territory under their control, and the SMC was no different.[77] Data was collected on industrial accidents in the Settlement from the beginning of 1933, initially just those incidents which were reported to the fire, ambulance and police services, but Hinder became increasingly successful in persuading hospitals and factory managers to inform her department of accidents. All the data obtained was carefully tabulated and recorded in the SMC's annual reports, providing a public declaration of the

[76] The ILO passed a resolution tabled by delegates from China, Belgium, Japan and India, declaring support of Chinese labour legislation being enforced equally in the foreign concessions and settlements in 1937, so international pressure on the council was still mounting as the Sino-Japanese War legitimated shelving the issue. 'The Twenty-Third Session of the International Labour Conference', *International Labour Review*, Vol. 36, No. 3 (September 1937), pp. 359-60.

[77] Zoë Laidlaw, *Colonial Connections, 1815-45: Patronage, the Information Revolution and Colonial Government* (Manchester: Manchester University Press, 2005); Tony Ballantyne, 'Empire, Knowledge and Culture: From Proto-Globalization to Modern Globalization' in *Globalization in World History*, ed. by A. G. Hopkins (London: Pimlico, 2002), pp. 115-140; C. A. Bayly, *Empire and Information: Intelligence Gathering and Social Communication in India, 1780-1870* (Cambridge: Cambridge University Press, 1996); Bernard S. Cohn, *Colonialism and its Forms of Knowledge: The British in India* (Princeton, N.J.: Princeton University Press, 1996); Liao Ping-hui and David Der-wei Wang, *Taiwan under Japanese Colonial Rule, 1895-1945: History, Culture, Memory* (New York: Columbia University Press, 2006), p. 42.

council's intended capacity to understand and therefore control the industry of the Settlement.

Just one month after Hinder took up her post in January 1933, one of the worst industrial accidents of Republican Shanghai occurred in a rubber shoe factory, killing 81 women who were trapped on the upper floor when petrol fumes caught alight, causing an explosion that forced out the walls, bringing the roof crashing down. With no safety exits, the women had no escape from the fire. Tragic though the accident was, it gave Hinder's infant section a public relations opportunity to focus popular attention on the dangerous conditions tolerated in the Settlement's factories. Hinder argued that all 26 remaining rubber shoe factories in the Settlement had similar risks and made it an early priority to close the most dangerous premises and bring about significant improvements in others. In July 1933, she reported that six had been ordered to close by the council's building inspectors, of which two had done so. Another had closed by order of the courts, five required considerable alterations to operate safely, and ten would need somewhat fewer alterations to meet minimum standards.[78] Hinder and the inspectors put repeated pressure on the factories to improve, and achieved some success, but the absence of broader legislative powers hindered their work. Only in one instance was the council able to bring a legal case against a factory considered highly dangerous, using its powers under existing byelaws against nuisances and hazardous or dangerous trades. Hinder wrote personally to O. K. Yui, Secretary General of the City Government, explaining this action by the council so he wouldn't 'hear about this first in the press': an effort to placate him after the protracted and unsuccessful negotiations between Yui and Fessenden to find an agreement on the

[78] SMA U1-6-116: E. M. Hinder to Fessenden, 8 July 1933.

implementation of the Factory Law in the Settlement.[79] Hinder took pains to stress that she was hoping to prevent a Japanese factory from opening with dangerous conditions to demonstrate that it was not just Chinese factories which were being targeted, even though all 26 rubber shoe factories were Chinese-owned. Diplomacy was a major part of Hinder's role at the council, and one that had not been served well prior to her arrival.

In 1935 the Industrial Section received reports of 2,301 industrial accidents, compared with 1,788 reported in 1934. The rise was interpreted as evidence of increased cooperation on the part of employers, hospitals, and police and ambulance services, volunteering the information at the council's request. Hinder reported that in 1,292 cases, when staff were available and where it was thought that they could exert influence for the better, members of the Industrial Section visited the premises on which accidents had occurred to offer advice for how to prevent any repetition.[80] They increasingly found that preventive measures had already been taken and, where they advised the adoption of particular measures, repeat visits usually showed that efforts had been made in the right direction. Employers were most likely to respond to such advice when it could be directly related to their recent experience of an accident. The data collected on industrial accidents highlighted the particular hazards in each industry, age-groups and other sections of the work force most likely to be victims of accidents, and seasonal variations. One third of accidents happened to those aged under 20, contributing to the ongoing concern over the safety of young workers dating to the Child Labour Commission. Electrical accidents were found to occur more frequently during the wetter summer months, so employers were advised to ensure the working environment was kept drier. The council also made contact

[79] U1-6-116: E. M. Hinder to O. K. Yui, 17 June 1933.
[80] SMC, *Report for 1935*, p. 38.

with local manufacturers and urged the adoption of safer designs and materials such as Bakelite. Four types of machinery were identified as the most dangerous, the worst of which was transmission machinery such as belts, pulleys and gearing; Hinder and her staff therefore urged upon employers the need to provide proper guards and other safety measures with such machines. They also bought items of machinery and fitted guards to them to demonstrate to employers how such measures could be implemented, inviting owners and managers to see them whenever accidents were reported in their factories which such guards might have prevented.[81] Such invitations were generally accepted, indicating at least an openness to the council's promotion of modern safety measures.

Particular attention was paid to the textile industry as it played such a prominent role in Shanghai's economy, and several mills allowed a member of the section's staff to study conditions with the mill engineer to work out exactly what preventive steps could be taken. Workers were also targeted by the section by, for example, showing them illustrations of the value of wearing tighter fitting clothing to avoid garments from becoming caught in machinery and causing an accident. Hinder was a strong believer in visual messages: photographs of good practice were taken and shown to employers, and she even had managers of five tobacco factories which kept their exits obstructed driven to the site of a fire caused by such a hazard at another factory, to see for themselves the possible consequences. Through these efforts, she claimed to have had a significant impact on practice in many establishments, but the Industrial Section had no recourse when managers were unreceptive, and Hinder bemoaned the preventable accidents that occurred in premises where her staff had warned of dangerous conditions.

[81] SMC, *Report for 1935*, pp. 44-5.

The collection of data went beyond industrial accidents. In June 1935, a sixteen-month survey of factories in the International Settlement by staff attached to the Public Works Department was completed. For the PWD, information was collected that would be helpful in the planning of sewerage and other works, such as the numbers working in factories and what chemicals they used and disposed of.[82] This was also valuable information for the Industrial Section, to which the three researchers were transferred on the completion of the survey to deploy their specialist knowledge of various industries in the further regular inspection of factories. The data collected from these inspections enabled Hinder and her colleagues to discern certain risk factors, such as the faulty construction of boilers and other pressure vessels, and to use this information to educate factory owners on the need to improve standards. Insurance companies could also use the data to impose safety requirements on their industrial customers to minimise risk.[83] Small improvements in working conditions were therefore achieved without the need for legislation.

The main problem identified from the inspection of factories was the unsuitability of the premises. The majority were in converted houses, so lacked proper ventilation, sufficient sanitary provision, or exits, among other basic safety features. This allowed Hinder to deploy municipal building regulations to demand improvements. The byelaws already required plans to be submitted to the council for approval prior to the erection of new buildings or the conversion of existing buildings into dwellings, so it was possible to

[82] SMC, *Report for 1935*, p. 38.
[83] Porter, *Industrial Reformers*, p. 118.

extend the existing rules to cover conversions of houses to industrial purposes.[84] Staff of the PWD could then oversee the building or conversion to ensure compliance with the regulations. Yet enforcing compliance was not easy: in September 1933, following the rubber factory fire disaster, the 15 factories which were found by inspectors to need safety improvements were visited repeatedly by Rewi Alley, demanding plans be shown for the improvements to be made, but in most cases none were forthcoming. In only one case did Alley report that he 'Found hazards greatly reduced by steps taken as required.'[85] Where court cases were not possible, it was only the pressure the staff of the Section could bring to bear by repeated visits that could affect change.

Where building regulations did not apply because premises were neither new nor being used for a new purpose, the council could only inspect premises with the permission of the owners. Rewi Alley's team of Chinese and foreign factory inspectors were surprisingly successful in persuading factory owners to allow them into their premises to observe the health and safety measures in place. Their first approach was 'to make friends' with the factory owners, and they earned a reputation for expertise making their advice welcome with most Chinese factory owners.[86] Foreign owners were more often hostile to what was seen as 'government interference' and were very aware that the Section staff lacked powers of enforcement.[87] Hinder reported that 'Japanese employers were punctilious in installing safety devices suggested' and were generally willing to meet standards

[84] U1-6-112: Harpur, Commissioner of Public Works, to Fessenden, Secretary-General, SMC, 28 September 1933. The definition of a new building was based on the British Public Health Act of 1875, British precedent providing the blueprint as usual for council legislation.
[85] U1-6-116: Table enclosed in Hinder to Fessenden, 25 September 1933.
[86] Hinder, *Life and Labour*, p. 25.
[87] Hinder, *Life and Labour*, p. 26. Note the description of the SMC as a 'government'.

obtaining in Japan, provided their factories were only inspected by Japanese.[88] Inspectors then sought to persuade employers that taking steps to improve conditions for workers would be in their own interests. Hinder reported that a combination of appealing to the better nature of employers and the 'nuisance factor' of repeated visits by inspectors generally achieved the desired improvements.[89] She tried different tactics: using foreign staff where Chinese had failed and vice versa; sending a women when a man was not heeded – 'the eloquence of a Chinese woman, to which no mere Chinese man can stand up' apparently achieved results.[90] There was no appetite, however, for reducing working hours, despite the concerns of the Section's staff. A further problem was ensuring that safety standards, once achieved, were maintained. For example, extraction fans to clean the air or remove flammable fumes were costly to run so were often simply turned off when inspectors were not present. With few staff in the early days, the Section had to focus its efforts on particular industries (rubber and cotton) and on specific problems within them (such as fire safety).

Not only were the powers of the Industrial Section extremely limited when Hinder began in her new post, its staff was tiny. Hinder began with just two members of staff: a temporary assistant, Zhu Yubao, who had worked with her at the YWCA, a Chinese clerk, and the services of Rewi Alley on loan from the Fire Department. In 1934 she persuaded the Staff Committee to recommend confirming these individuals as Industrial Section staff and recruited three further building inspectors, who were initially appointed under the

[88] Hinder, *Life and Labour*, p. 26.
[89] Hinder, *Social and Industrial Problems*, p. 16.
[90] Hinder, *Life and Labour*, p. 26.

PWD.[91] Gradually, Hinder's track record and increasing influence within the council enabled her to persuade the staff committee, secretary and chairman to allow the expansion of her section. It divorced from the Secretariat in October 1940 to become a separate Division with its own committee to formulate policy and oversee its operations, an indication that the department was well-established. By this point the new Industrial and Social Affairs Committee was responsible for over fifty staff, and while this was still dwarfed by the scores and hundreds of municipal employees in other departments, the impact of the Division was disproportionate to its size or status. Most of the staff were Chinese and Chinese inspectors could front the work in Chinese factories, while Japanese staff did the same in Japanese factories, and western staff inspected western-owned factories, reducing the possibility for friction between different national groups.

Internationalism

Hinder was alive to the international dimension of industrial regulation in Shanghai and ILO influence was felt throughout the existence of the Industrial Division. Hinder kept up a regular correspondence with Albert Thomas and his British successor as Director of the ILO, Harold Butler, reporting progress in industrial reform in Shanghai and China more broadly. They discussed exchanges of staff members between the SMC Industrial Division and the ILO, Hinder pondering which Chinese member of her staff could be spared, although it is not clear whether the plan was implemented.[92] Harold Butler had planned to

[91] SMA U1-6-115: Staff Committee Agenda, 25 June 1934.
[92] SMA U1-10-4: E. M. Hinder to Harold Butler, Director, ILO., 3 October 1938.

visit Shanghai in 1937, but was prevented by the outbreak of the Sino-Japanese war.[93] Part of Hinder's motivation for her ongoing contact with the ILO was political: in reporting on her attendance at the ILO's conference in Geneva in 1938, she stated that her main object was 'to counteract the impression generally given by Chinese delegates in their speeches that the Council was not assuming its full responsibilities in the matter of industrial regulation.' She felt that by making the work of her Division more widely known in Geneva she 'should be establishing the fact that the Council was indeed aware of its responsibilities and fulfilling them to the best of its abilities.'[94] She had, however, no status at the three-week conference as membership, granting the right to speak in plenary meetings, was limited to sovereign states, which, of course, the International Settlement could not claim to be among.

Hinder's sex would have put her at a further disadvantage: of the 416 individuals who attended the ILO conference, just 15 were women.[95] China sent twelve representatives, despite the ongoing Sino-Japanese War, and Hinder commented that she was careful to remain on good terms with them. In the contested world of treaty-port China, every area of municipal activity was heavily politicised, and industrial regulation was no different. Hinder was well aware of the need to give international observers a positive impression of the council to counteract increasing pressure, from within China and from around the world, for the retrocession of the International Settlement to Chinese control. Hinder later indicated that she was ambivalent about the council's position, recognising the Chinese

[93] U1-10-4: E. M. Hinder, 'The I.L.O. Conference, Geneva, 1938', report submitted to SMC, 22 September 1938.
[94] U1-10-4: Hinder, 'I.L.O. Conference'.
[95] 'The Twenty-Fourth Session of the International Labour Conference', *International Labour Review*, Vol. 38, No. 3 (September 1938), p. 302.

right to enjoy political control over its territory and population, to the extent that she wrote of her 'great satisfaction' on hearing that the British and American governments had signed a treaty in January 1943 renouncing extraterritoriality and the right of foreigners to administer the treaty ports.[96] Yet in the 1930s she was aware of the reality that she and Rewi Alley were best able to effect change for the benefit of Shanghai's workers within the existing political apparatus of the Settlement, and she came to identify her goals with those of the SMC as she sought to reshape from within the council to which in the 1920s she had been openly hostile. Hinder therefore served council interests by presenting its industrial work in the best possible light at the ILO conference, though her motivation for seeking to counter negative views of it was to enable her to continue expanding the work of the Industrial Section. At the same time, the importance Hinder attached to maintaining good relations with the Chinese delegates at the conference reflects the degree to which she was keen to allow room for fruitful interactions between her department and the Chinese authorities.

Hinder used her visit to Geneva to meet with senior figures in the ILO whom she hoped would influence the Chinese government in the interests of her department. She met with Harold Butler and his successor, the American John Winant, as well as Camille Pone who had visited Shanghai in 1931. Hinder expressed the hope that these men would exert their influence to help resolve the stalemate reached with the Chinese government over the implementation of the Chinese Labour Law and specifically the conflicting views of the council and the Chinese government over the jurisdiction of factory inspectors within the International Settlement. The ILO's China Branch, established in 1930, claimed that all the

[96] MLMSS 770/13/8: Eleanor Hinder, Unpublished Autobiography, p. 28g.

laws introduced by the Chinese Government concerning industrial conditions followed directly on ILO recommendations, from the banning of the use of white phosphorous in the manufacture of matches in 1925, reiterated in 1929, to the formation of Factory Safety and Health Inspection Regulations in 1933.[97] Indeed, the ILO provided technical assistance for the latter. It is hard to assess to what extent the Nationalist government would have introduced such legislation without the ILO's influence, and clearly the ILO's own China Branch had an interest in emphasising the importance of its parent body, but it seems clear that the Organisation had a real impact on Chinese legislation and practice in industrial regulation, which in turn shaped to a large extent the response of the SMC.

During her trip to Geneva Hinder also met with Edouard de Haller, the Director of the League's Mandates section which had responsibility for slavery. She met him in her capacity as Protector of Mui Tsai, a title she gained in addition to her position as head of the Industrial Section in 1937. The council sought in making this appointment to demonstrate its responsiveness to pressure from the League Slavery Committee to curb the practice of poor Chinese parents selling daughters to wealthy families to become *mui tsai* or 'younger sisters' (*mei zai* 妹仔, also known as *pei nu*).[98] This was another example of the League's impact on SMC policy, though significantly in this case Hinder used the powers the new title gave her to seek improvements in child welfare far more broadly than anticipated by either the council or the League. In Geneva, Hinder was again seeking to represent the SMC's position – in this case, that the *mui tsai* question 'must be seen in perspective'. By this, Hinder and the council meant that cultural sensitivity was needed

[97] ILO China Branch, 'China and the International Labour Organisation', n.p.
[98] SMA U1-1-91: Watch Committee, 9 February and 29 April 1937; MLMSS 770/3/4: 'The Place of Administration in Child Care in Shanghai: Some Methods and Principles of Action', author unknown, n.d., n.p.

with regard to local practices (of which they claimed a greater understanding than the League's Slavery Committee due to their experience working with Chinese in the city) and that there were more serious concerns regarding children that should be prioritised over the practice of *mui tsai*. International pressure was thus very important, but local actors had more influence on SMC practice.

Hinder concluded from her meeting with de Haller, however, that staff members such as he had less influence than she had thought, and her efforts were better placed raising the council's profile with committee members. With this in mind, she travelled on from Geneva to London, where she met a number of key figures including Sir George Maxwell, Vice-chairman of the Slavery Committee, Irene Ward, Conservative member of the House of Commons and a member of the League of Nations' Social Questions Committee, and Edith Picton Turbervill, former Labour member, feminist and author of a League report on *mui tsai* in Hong Kong.[99] Hinder went on to Ottawa where she met Charlotte Whitton, another feminist humanitarian who was the founding director of the Canadian Council on Child Welfare, which by 1938 had become the Canadian National Welfare Council, and long-term Canadian representative to the League's Advisory Committee on Social Questions. Whitton gave her approval to Hinder's approach to the *mui tsai* issue in Shanghai. The League of Nations linked these different activists together in such a way that Hinder could meet them to discuss issues relevant in the International

[99] Edith Picton-Turbervill, 'Minority Report' (1937), cited in David M. Pomfret, '"Child Slavery" in British and French Far Eastern Colonies 1880-1945', *Past and Present*, No. 201 (November 2008), p. 181, n. 13.

Settlement and bring an international perspective to local problems. With these women, moreover, Hinder was mixing in the elite of global feminist humanitarian circles.[100]

Hinder's travels were not confined to Europe and North America. She also went to Japan in March 1936 where she visited the Tokyo mill of Dai Nippon, which also owned two mills in Shanghai. Conditions in the Tokyo mill impressed her greatly, as she reported that it operated just two shifts of eight and a half hours per day and that workers were allowed five days free per month. Safety standards were also much higher than those in Shanghai, Hinder noting particularly such features as guards and emergency stop buttons. Other factories in Japan were less impressive, such as the Takagi Ironworks factory with its lack of safety devices: Hinder reported it exhibited 'no difference from similar works in Shanghai.'[101] Yet even here Hinder was struck by the absence of child workers as education was compulsory in Japan (as the League advocated and had optimistically encouraged the SMC to enforce in 1925),[102] so work that in Shanghai was performed by young boys was being done in Tokyo by women instead. Hinder may have been writing hoping to prove to foreign members of the council that poor working conditions were not a necessary feature of Asian societies, as some had tried to argue in the 1920s. Or she may have had in mind the increasingly influential Japanese members of the council, attempting to persuade them of the importance of industrial reform by using examples from their homeland. In any case, it is significant that western nations were not the sole point of reference or source of international influence in this field. Hinder maintained connections with Japan following her visit, sending Zhu Yubao to tour Japanese factories when she took leave in 1937 and

[100] See Leila J. Rupp, 'Constructing Internationalism: The Case of Transnational Women's Organizations, 1888-1945', *American Historical Review*, Vol. 99, No. 5 (December 1994), pp. 1571-600.
[101] U1-10-4: E. M. Hinder, 'My Visit to Japan, March 1936.'
[102] Zhang Qian (ed.), *Minutes of the SMC*, Vol. XXIII, 8 April 1925, p. 27.

welcoming Japanese visitors who in turn wished to inspect industrial concerns in the International Settlement.[103] It was largely through I. Ayusawa, the Director of the International Labour Office in Japan, that these connections were forged and maintained, so the ILO's influence was apparent quite apart from its European heartland.

Hinder wrote to John Winant in 1940, after he had moved the ILO from Geneva to Montreal to escape war-torn Europe, commenting that the China Branch of the ILO, based in Shanghai and headed by Chen Haifeng (Cheng Hai Fong), was an invaluable resource for her department due to its unrivalled repository of material concerning labour.[104] Winant replied that he had just authorised Chen to go to Chongqing to renew his contacts with the Nationalist government, given the difficulties of communication during the Japanese occupation, demonstrating the closeness of the relationship between the ILO and the Nationalist Government.[105] Chen made this visit in early 1941, taking with him letters of recommendation from Hinder to meet Chinese and foreign contacts including Song Meiling (by now known as Madame Chiang Kai-Shek) who had served on the Child Labour Commission nearly twenty years previously.[106] Hinder's praise for and familiarity with Chen's work is indicative of a strong working relationship between them as well as the prominent role played by the ILO China Branch. The importance of the ILO should not, therefore, be discounted as quickly as Jean Chesneaux argued, although its direct impact on the SMC was limited. Action taken by the Chinese authorities, however, made a dramatic difference to the environment in which the municipal Industrial Division operated.

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[103] U1-10-4: E. M. Hinder to I. Ayusawa, 12 June 1937, and his reply 9 July 1937.
[104] U1-10-4: E. M. Hinder to John Winant, McGill University, Montreal, 17 October 1940.
[105] U1-10-4: John Winant to E. M. Hinder, 29 November 1940.
[106] U1-10-4: E. M. Hinder to Madame Chiang Kai-shek, 20 March 1941.

Towards Constructive Interaction between the SMC and the Chinese authorities

Responsibility for industrial matters in the City Government of Greater Shanghai, including the implementation of the new Factory Act, fell to its Bureau of Social Affairs. This body, just like the Shanghai Municipal Council, understood that power comes with knowledge, and set about as a first priority gathering data on the incidence of industrial disputes in the city.[107] T. Y. Tsia, Chief of the Statistical Division of the Bureau of Social Affairs within the City Government of Greater Shanghai, specifically thanked Albert Thomas of the ILO, alongside the Nanjing government, members of Chinese universities and a representative of the US Department of Labor, for their contribution to the first major survey of strikes and lockouts in the city.[108] The Nationalist Government had made good use of the ILO as a platform for raising its international profile as a progressive government, in opposition to and hindered by the colonial powers and specifically the persistence of extraterritoriality.[109]

Tsia's preface is consistent with the general promotion of the importance of the work of his own bureau and the wider party-state in industrial reform. He boasts that the party made resolutions about the need for improved labour conditions as early as 1924 and took the first action in China to undertake systematic surveys of the numbers of workers in different industries in Shanghai and elsewhere in 1927. 'The communists have been purged and outlawed in this country,' he noted, 'but it has been the consistent party policy of the Kuomingtang [*sic*] to protect workers' interests and to promote their welfare.'[110] It is

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[107] On the tendency of Chinese authorities to conduct social surveys to gather data for the emergent nation-state in this period, see Tong Lam, *A Passion for Facts: Social Surveys and the Construction of the Chinese Nation State, 1900-1949* (Berkeley: University of California Press, 2011).

[108] Bureau of Social Affairs, City Government of Greater Shanghai, *Strikes and Lockouts, Greater Shanghai, 1929* (Shanghai: Bureau of Social Affairs, 1930), p. ii.

[109] See, for example, U1-10-4: ILO China Branch, 'China and the International Labour Organisation' (n.d.), n.p.

[110] Bureau of Social Affairs, *Strikes and Lockouts*, p. 26.

noteworthy that the Guomindang's efforts in the collection of data on industrial disputes came before those of the SMC. Tsia's survey of the strikes and lockouts in Greater Shanghai was the first of its kind in China, though it was not as comprehensive as he claimed it to be: as Porter notes of other Chinese industrial statistics, in reality information was collected almost solely from Chinese-owned factories.[111] The survey found that 111 industrial disputes occurred in 1929 – three lock-outs and 108 strikes – compared to 120 strikes in 1928: the Bureau emphasised to its international readers the progress being made as the May 30th Movement died away and the suppression of the Communist Party continued.

The survey investigated the grievances of the workers and found the most important factors to be the conditions of employment, including disputes over wages, hours, or the treatment of workers, and 'trade unionism'. The Guomindang had banned independent unions and was seeking to reorganise them under its own control, free from Communist influence.[112] The report noted that of the four complaints about workers being beaten, three emerged from foreign-owned factories: the Bureau constantly sought to reiterate the problems posed by foreign imperialists employing Chinese workers on Chinese soil. Chinese nationalism was clearly apparent in such government publications on labour throughout the 1930s, whether for domestic or international consumption. The survey also included an assessment of the success of mediation in resolving labour disputes. In total 93 of the disputes had gone to mediation, of which 65 involved the Bureau.[113] The Bureau was providing a mediation service of which workers made use and was taking the initiative

[111] Porter, *Industrial Reformers*, p. 18.
[112] For more, see Elizabeth J. Perry, *Shanghai on Strike: the Politics of Chinese Labor* (Stanford: Stanford University Press, 1993), p. 92 ff.
[113] Bureau of Social Affairs, *Strikes and Lockouts*, p. 28.

in this area where the SMC was slow to act. Indeed, Hinder reported that foreign industrialists who were among the most vociferous defenders of the SMC's exclusive right to monitor industrial conditions within the Settlement turned to the Bureau's mediation service in the absence of an equivalent at the SMC.[114]

Tsia's Statistical Division continued to monitor the rate and causes of strikes and lockouts in the 1930s and also compiled data on the cost of living, which fluctuated greatly in the 1930s due largely to activity in the global silver markets. Information showing inflation could be used by workers to support their claims for higher pay in response to higher prices, but similarly when China faced deflation due to the American silver purchase programme of 1933, employers could turn to the cost of living indices to justify keeping wages low. The most comprehensive study of the cost and standard of living of Shanghai workers was made by employees of the Bureau who made daily visits to 305 families between April 1929 and March 1930.[115] The data collected was useful not only to the bureau itself, but also employers in Shanghai and other interested parties, including the SMC. Hinder compared the average annual income of these families ($416.51) with the average expenditure ($454.38) to show that working families were typically unable to cover their basic needs without borrowing money or seeking supplementary income from other sources. The figures from this study were also taken as the basis of comparison for showing how the cost of living shot up during the Sino-Japanese War, as shown below. The sharing of data was the first area in which the Industrial Section benefitted from its relationship with the Bureau.

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[114] Hinder, *Life and Labour*, p. 11.

[115] Eleanor Hinder, *Social and Industrial Problems of Shanghai, with Special Reference to the Administrative and Regulatory Work of the Shanghai Municipal Council* (New York: Institute of Pacific Relations, 1942), p. 23.

The interactions between the City Government and the SMC on industrial matters, as on other municipal affairs, were tense. Despite an ostensibly shared interest in improving working conditions throughout the city, the SMC's first priority was preserving its autonomy and the extraterritorial rights of its foreign residents, while the Chinese authorities were equally adamant that the Chinese right to implement national laws such as the Factory Law should apply to all Chinese territory including the foreign settlements. Successive series of negotiations broke down over the problems of what laws and regulations should apply in the Settlement, who should monitor their implementation, and under what judicial authority they could be enforced in the myriad of court systems in operation in Shanghai. Nonetheless, Hinder's relationship with officials at the Bureau of Social Affairs was more constructive than that between their parent bodies: she even described it later as 'cordial'.[116] At a meeting between herself and Tien Ho Ching, Chief of the Inspection Branch of the Bureau of Social Affairs, in November 1933 (when resolution to the issue of factory inspection still seemed achievable) Hinder successfully persuaded him to follow the proposal agreed with Camille Pone during his visit, that the first focus should be improving health and safety conditions rather than trying to eliminate child labour. Relations between the two could not be described as 'cordial': when Tien declared his intention to begin inspecting factories in the Settlement within a few months, Hinder 'ignored this remark.' But they at least appeared to enjoy a constructive working relationship. Hinder became responsible in her new role at the council for seeking solutions to the impasse on factory inspection and conveying the council's position to the Chinese authorities. Her existing relationship with Dr Chen Da, with whom she had conducted a

[116] Hinder, *Life and Labour*, p. 10.

study on factory conditions to advise the Nanjing government prior to its enactment of the Factory Act, aided her relations with Chinese in the field: he introduced her to the new head of the China Branch of the ILO in 1934, Chen Haifeng, who was implementing some of the recommendations she and Chen Da had made.[117] Although the goodwill she created with her counterparts did not lead to a solution to the problem of factory inspection, it allowed her to expand the work of the council in this area without further worsening the SMC's relations with its neighbours, something Jordan was unable to do.

It is significant that there was movement of staff between the industrial branches of the council and the City Government. T. Y. Tsia, the onetime head of the Bureau of Social Affairs' Statistical Division, was given office space in the SMC Industrial Division in 1938 to continue his work collecting data on industrial conditions using funds he raised himself, though he was restricted by the Japanese occupation of Shanghai to studying factories within the International Settlement alone, instead of the whole of Greater Shanghai.[118] Two years later he formally joined the staff of the Division. Few would have foreseen that a senior figure within the Nationalist City Government, who had made his opposition to the foreign administrations in Shanghai clear, would be able and willing to work for the Shanghai Municipal Council in the service of improving labour conditions. The antagonism that had existed in the late 1920s and early 1930s had subsided in response to Japanese occupation and the shared goals of industrial reform. At the same time, Rewi Alley, the Chief of Factory Inspection, resigned from the SMC in early 1938 to work for the wartime Nationalist Government in Chongqing, advising the government about labour regulations

[117] SMA U1-6-113: Hinder to Fessenden, 20 August 1934.
[118] U1-10-4: Hinder to Butler, 3 October 1938.

and helping to organise small scale industrial co-operatives.[119] Alley's left-wing politics (he chose to remain in the new People's Republic following the Communist victory in 1949) mean he was probably hostile to the imperialism of the SMC, and once he could serve Chinese workers' interests better elsewhere, he did. But again, it is significant that the GMD government was willing to accept a former SMC employee in order to benefit from his expertise. War brought about huge changes in the realm of industrial conditions and the activities of the Industrial Section expanded accordingly.

The Industrial Section in Wartime Shanghai

The outbreak of the Sino-Japanese War in 1937 had a dramatic impact on the work of the Industrial Section, as it did on all areas of council activity, but for most of the war the council continued to perform its functions, including in industrial and social work, with as close a semblance to normality as possible. Robert Bickers has described the British conviction that if the Settlement must eventually be left, it should be left in good order, and Hinder certainly subscribed to this rationale.[120] By this point Hinder had established her department as a strong force on the industrial stage in Shanghai, despite the failure to secure much legal footing for its work or to resolve the issue of factory inspection. The war prevented much of the interaction that existed between the council and international bodies such as the ILO, especially following the bombing of Pearl Harbour. Yet one result of the war and the abolition of the Chinese city government was the removal of a long source of frustration to some of the council's aims in industrial work. Hinder's department could now expand its work without fear of offending the neighbouring authorities, as long as Japanese

[119] U1-10-4: Hinder to Butler, 3 October 1938.
[120] Bickers, 'Settlers and Diplomats', pp. 233-5.

interests were not harmed. The new Division was divided into four sections: the Industrial Section continued the work of seeking improvements in industrial safety and working conditions; the Statistical Section compiled and published cost of living data and advised employers on giving employees' allowances based upon it; the Industrial Relations Section offered mediation in industrial disputes; and the Welfare Section cared for the living standards of workers, including housing, nutrition and health, as well as taking special responsibility for child protection.

Japanese bombing destroyed almost all industrial concerns outside the International Settlement in 1937, so workers flooded in looking for employment while industrialists set up makeshift workshops in any building that could be used for the purpose, however unsuitable.[121] The work of factory inspectors therefore increased dramatically, but their task was made harder than ever as conditions deteriorated and the swelled pool of labour reduced the bargaining position of workers. The Industrial Section expanded its work to encompass care for the urban population in general, rather than only industrial workers. This included the ranks of the unemployed, due to both the closure of factories and the increased number of workers in the Settlement.[122] By the end of 1937, 95,777 refugees were living in 173 camps, unable to find work and unable to afford housing at the dramatically inflated prices which the increased demand produced.[123] Charities provided for them but the SMC could not ignore the scale of the humanitarian crisis in its midst.

As the war continued rampant inflation caused the cost of living to rise far ahead of wages, causing a new source of hardship for industrial workers. As noted above, the Bureau

[121] On the scale of the destruction, see Christian Henriot, 'Shanghai Industries under Japanese Occupation: Bombs, Boom, and Bust (1937-1945) in *In the Shadow of the Rising Sun*, ed. by Henriot and Yeh, pp. 20-25.
[122] MLMSS 770/13/8: Hinder, draft autobiography, p. 18g.
[123] SMA U1-16-10-224: Chief Health Inspector to Commissioner of Public Health, 31 August 1939.

of Social Affairs had compiled and published cost of living indices, but after its officials fled inland in 1937 the bureau closed.[124] On Hinder's initiative, and with the expertise of T. Y. Tsia, the Industrial Section took over the business of compiling statistics on the rising prices of basic commodities for the information of employers. The Shanghai Municipal Council, itself a large employer, was among the firms that used these figures to calculate cost of living allowances in addition to salaried income for its employees. The rate of inflation is illustrated by the rises in the allowance for municipal staff in 1940: from 30 to 55 per cent of salary in May, rising to 60 then 85 per cent by October.[125] The allowance was one of the costs of the declining value of the Chinese dollar, squeezing municipal resources so a rise in rates was necessary in 1940.[126] Many other employers, Chinese, Japanese, British, American and others, used the data, so it was of real benefit to many thousands of workers. J. S. Barr informed her colleagues on the Industrial and Social Affairs Committee that the cost of living indices were forwarded to the USA for employers there to calculate fair allowances for their staff in Shanghai.[127] Hinder considered the measurement of the cost of living to be one of the most important functions of her department.

Hinder also concerned herself with the procurement and distribution of rice for Shanghai. Cut off from its rural hinterland, the city was running short of basic foodstuffs, as research for the cost of living indices made clear. Hinder persuaded the council to import rice from Indo-China via Hong Kong to ensure supply at affordable levels. The profits from the sales were ring-fenced for the future purchase of 'military rice', that is, rice bought

[124] Porter, *Industrial Reformers*, p. 123.
[125] U1-1-63: Finance Committee, 24 May and 12 October 1940.
[126] U1-1-63: Finance Committee, 7 March 1940.
[127] SMA U1-6-009-195: Industrial and Social Affairs Committee, 24 October 1941.

from the Japanese military, when it was no longer possible for the SMC to source its own.[128] This involved the council in unprecedented high risk investment (there was a strong chance of the cargo being lost in hostile waters) for the sake of public welfare, far removed from the laissez-faire approach of earlier years. Hinder's interest in nutrition went beyond the availability of rice to public health interventions: experiments she conducted in 1937 in collaboration with the Henry Lester Institute of Medical Research and in consultation with the Public Health Department with 75 boys in light-bulb factories demonstrated that beriberi could be eliminated among them if their rice were simply de-husked shortly before cooking to preserve its vitamin B content.[129] The outbreak of war prevented her from attempting to convert the findings into widespread practice, but the experiment shows the breadth in which she conceived her role and the appropriate activities of the council.

The expansion of the Industrial Section's work into technical education was a similar indication of how Hinder took the SMC far beyond its basic functions. The Division established a night school in 1941, using the laboratories of the Henry Lester Institute of Technical Education, with funding from the SMC Education Department. It offered training for mechanics and electricians to improve safety and, in order to increase the appeal of its graduates to employers, efficiency. Courses were intense and demanding, the three-year syllabus of technical training for skilled mechanics including mathematics, physics, English workshop terms, mechanical drawing and design, machine shop materials and practice, and machinery and electrical installation.[130] Admission to the courses required a primary

[128] SMA U1-1-63: Finance Committee, 23 March and 23 April 1942.
[129] MLMSS 770/3/4: E. M. Hinder, 'The Place of Administration in Child Care in Shanghai: Some Methods and Principles of Action', n.d., n.p.
[130] SMA U1-1-1200: Hinder to N. W. B. Clarke, Director of the Engineering Society of China in Shanghai, 30 December 1940.

education, which had the intended consequence of indirectly increasing the age at which young people would begin employment as machine shop workers: typically those enrolled were aged 16-21 and had between three and six years of education.[131] Teachers in the technical schools developed their own teaching materials in the absence of text books in Chinese.[132] The work of the technical education schools continued into 1943, when Y. T. Chen, the head of section, reported that a total of 519 students were enrolled in the various courses on offer, up from 404 the previous year.[133] The impact of the schools was thus growing up until the abolition of the council.

Just as the Industrial Section took over the compilation of data on the cost of living from the Bureau of Social Affairs, so did it take on the latter's mediation function. Widespread strikes broke out in 1939 and 1940 as workers bore the brunt of the worsening economic situation.[134] Judging from the way Hinder described the role of mediation in industrial disputes, she appears to have laid greater emphasis on prioritising the workers' interests than had the Bureau. If approached by the management rather than the workers for mediation in the first instance, the Industrial Division would wait for several days trying to persuade the workers to seek its services as well before stepping in.[135] In its sympathetic approach, the Division differed from the SMP which, much like the Bureau of Social Affairs, prioritised the maintenance of public order over workers' welfare. Hinder claimed that as the reputation of the Division grew, its advice on matters such as wages and factory rules was increasingly sought before disputes escalated into strikes, suggesting that the

[131] Hinder, 'The Place of Administration in Child Care', n.p.; SMA U1-1-1299, trade apprentice application forms.
[132] MLMSS 770/3/18 (vii).
[133] MLMSS 770/3/18 (ix): Social Welfare Department Reports for 1943, p. 173.
[134] Hinder, *Life and Labour*, p. 14.
[135] Hinder, *Life and Labour*, p. 75.

Industrial Relations section was successful in its work.[136] Just seven disputes were referred to the council for mediation in 1938, compared to 111 in 1940, of which strikes were prevented in 56 cases.[137] Strikes continued, however, as the economic hardship brought by war worsened, and the council's limited powers of mitigation were tested to the limit.

Child protection, the original focus of demands for a greater welfare role for the council, also expanded during the Sino-Japanese War. From an unpromising beginning, when she was appointed Protector of Mui Tsai in reluctant acquiescence to pressure from the League of Nations and the British Government, Hinder was able to establish a Child Protection Service with a much broader remit. As in the resolution of industrial disputes, child protection involved considerable cooperation with the municipal police, such as efforts to reduce the exploitation of young children by beggars to gain sympathy and donations, which increased greatly with the presence of so many refugees from 1937. It was agreed that, although the council could not refer such cases to the courts, the police could act in a purely 'administrative' function by detaining infants exploited in this way and entrusting them to the care of the Shanghai Refugees Babies' Nursery, a charity supported in part by a municipal grant-in-aid.[138] The power of the council was thus harnessed for child protection within its existing powers and at minimal cost to the municipal purse. The SMC was, however, also increasingly willing to fund child protection work, appointing its first full time social worker in 1937. As chief of the Child Protection Service, Hinder recommended in 1940 that the council increase its grants-in-aid to charities which took in

[136] MLMSS 770/3/4: E. M. Hinder, 'The Organisation and Functions of the Industrial and Social Division', n.d.
[137] Porter, *Industrial Reformers*, p. 124.
[138] SMA U1-1-92: Watch Committee, 4 July 1939.

abandoned children found by the SMP.[139] Despite opposition from the Treasurer, anxious as ever to curtail expenditure, Hinder's requests were granted.[140] The following year, when the grants-in-aid were again under review, the Treasurer cited the old principle that the council accepted no responsibility for poor relief. But the Chairman, Secretary and members of the committee all supported Hinder and her recommendations were approved: the council had, it was acknowledged, now accepted responsibility for child protection.[141] Despite this, Hinder made little headway towards the long-held goal of eliminating child labour from Shanghai's factories, the council's reliance on voluntary cooperation on the part of employers in the absence of legislative powers proving an insurmountable obstacle.

Hinder recalled that on the morning following the bombing of Pearl Harbour on 7 December 1941, the Japanese Consul General invited the Chairman of the SMC and the most senior American and Dutch members of council to meet him and asked them to carry on in their current roles. He promised that although the Japanese were occupying British and American enterprises, they had 'no intention of disturbing the international make-up of the Council.'[142] The chairman agreed, in the interests of the residents of the Settlement, on the understanding that he and his colleagues would do nothing that compromised their loyalty to their own countries. Yet three weeks later, all the Allied council members were required to resign, leaving Allied national staff such as Hinder in a difficult position. Yet Hinder continued, convinced that she was helping Chinese in the Settlement, particularly in the distribution of staple foods. She also persuaded the Japanese authorities to contribute

[139] These included the Door of Hope, for more on which see Sue Gronewold, 'Encountering Hope: The Door of Hope Mission in Shanghai and Taipei, 1900-1976', PhD Dissertation, Columbia University, 1996.
[140] U1-1-63: Finance Committee, 7 March 1940.
[141] U1-1-63: Finance Committee, 10 April 1941.
[142] Hinder, 'Shanghai 1942, Philadelphia 1944, Sydney 1945'.

towards the cost of third class travel to those returning to their native place to reduce overpopulation, an opportunity which she estimated that many thousands seized.[143] By 1942, however, there were growing opportunities for skilled workers in Japanese factories, no longer able to source their employment needs in Japan due to the war. The Industrial Section established an employment exchange to help unite employers with openings to those seeking work.[144] Hinder had repeatedly been asked by the Japanese to aid in this, but refused on the basis that she should not be required to do anything that directly aided the Japanese war effort, which helping Japanese industry certain constituted. The mounting pressure contributed to her decision to quit Shanghai. Hinder left the Division in the hands of her Japanese deputy, T. Fukuda, who continued to ensure the Japanese-controlled SMC committed funds to industrial welfare in its last days, such as in the proposed establishment of a hospital for industrial workers.[145] Industrial welfare had become a core function of the council, due to international pressure and the dedicated work of Eleanor Hinder.

Conclusion

The Shanghai Municipal Council came to adopt a much stronger stance on industrial reform in the 1930s in response to outside pressure from women's groups, from the International Labour Organisation and other international organisations, and from the action that was being taken by the Nationalist Government at Nanjing. The council's priorities changed over time as it was no longer tenable to remain laissez-faire in the face of

[143] MLMSS 770/13/14: E. M. Hinder, address to The Australia Institute of International Affairs, Melbourne, 18 April 1945: 'Shanghai 1942, Philadelphia 1944, Sydney 1945'.
[144] U1-6-009-195: Industrial and Social Affairs Committee, 1 September 1942.
[145] U1-6-009-195: Industrial and Social Affairs Committee, 25 June 1943. This was the last meeting of the committee.

human suffering. Cooperation was necessary for the achievement of its goals, but was not always forthcoming. Hinder was successful in cooperating with other departments within the council, such as Public Works in factory inspection and the SMP in child protection. Cooperation with the Chinese authorities was much more difficult, but towards the end of the 1930s significant progress was being made. The clashes between the SMC and the Chinese authorities over factory inspection reflect the fact that both were attempting to engage in state-building activities in the same urban space, each seeking to claim greater capacity to control industry, and thus, symbolically, modernity, in the contested city of Shanghai. Moreover, the dramatic expansion of the role of the Industrial and Social Division from 1937 in the absence of the constraining force of the Chinese City government further demonstrates the state-building tendencies of the council. It was both increasing its responsibility for the welfare of the population and increasing its governmental functions, behaving much more like the national governments of European states than the laissez-faire authority of nineteenth century Shanghai.

Conclusion

This dissertation began with a number of questions in mind: what was the Shanghai Municipal Council? How did it function? How did it evolve over the course of the twentieth century? And why does this history matter? Over the foregoing chapters I have addressed these questions, establishing for the first time the precise nature of the SMC, exploring the people who shaped it, its workings through the municipal committees and staff, how its activities were funded, and how it functioned in the realms of expansion and defence, public health and industrial reform. This has shown how the council affected the lives of those who lived and worked in the Settlement, bringing the analysis of semi-colonialism down from the heights of inter-state politics to the everyday experience of semi-colonial authority. It is thus clear that the SMC met Matthew Brown's condition that 'The tentacles of informal empire must be found on the ground and in the mind... Informal empire must be lived, and known, if it is to exist.'[1]

My research has revealed the ways in which the council altered in this period, and I have argued that it was not a static, unchanging institution, but developed from a laissez-faire governing body, constantly striving to keep municipal spending to the minimum required to support an environment conducive to foreign business, to one which gradually took on greater responsibility for social conditions and responded to the opinions of a somewhat broader section of the population of the Settlement, notably the Chinese business community. It also changed in its international interactions, both in the colonial context and increasingly in its relations with transnational movements including the reformist agenda of the League of Nations and international feminist networks. It is clear from all that has been

[1] Brown, 'Introduction', p. 21.

discussed and explored that the SMC was a highly significant actor on the political stage in Shanghai and China, worthy of greater understanding in its own right. Yet it has also emerged that an appreciation of the nature of the council has wider implications for the study of colonialism, both within China and globally. Over these final pages I will gather the various strands of these arguments together, reinforcing the conclusions that have been reached and exploring their implications.

The initial study of how the council was constituted through the election and selection of council members contributes significantly to a new understanding of the nature of the SMC. The predominantly expatriate status of those who stood as British and American candidates and were then elected by the eligible ratepayers ensured the council's priorities lay with the interests of big business, which centred on low taxation and the preservation of law and order, and indeed the preservation of the Settlement itself. These priorities are evident in the budgets of the council, the majority of which were dedicated to policing and infrastructure, with only a small (though growing) allowance for the social responsibilities of government. Military backgrounds were common among both council members (such as Brigadier-General Macnaghten) and Commissioners of Police (including Major Hilton-Johnson and Major Gerrard), which was both a result of and contributed to the priority given to defence.

Such emphasis on the protection of the Settlement against outside threats is perhaps unsurprising for the body responsible for a community in a foreign country, far from the securities of home, but the continuous stress on the need for expansion requires further explanation. The dramatic extensions to the Settlement's boundaries secured in the nineteenth century were justified by the substantial growth in its population, foreign but

especially Chinese. This growth continued exponentially in the twentieth century, so the same logic could have applied. But in reality it was the council's building of external roads and their settlement by foreign (though still mostly Chinese) residents, whom the SMC believed should be incorporated into the protection of the Settlement proper, which led to the expectation that it would continue to expand. The council's activities, providing services and collecting taxes to pay for them, which it did on the external roads as inside the Settlement, became a self-perpetuating inevitability. Right into the 1920s the SMC had every expectation that it would continue to manage the Settlement for the foreseeable future, not accepting that Chinese authorities would be able to administer their own territory to the same advantage to business. Even following the establishment in 1927 of the Nationalist Nanjing and Shanghai Municipal Governments, the council jealously guarded its authority and independence from outside jurisdiction. Expansion and defence were thus integral to the nature of the SMC.

The study of the people involved in the council also allows a development from the valuable work done by David Lambert and Alan Lester on the imperial networks in which the men and women who constructed and maintained the British empire circulated. Council members and employees were greatly influenced by their experience and knowledge of colonial practice in Hong Kong and elsewhere. Ede, Simms, Beith, and Arnhold were among the many council members with ties to Hong Kong, many of them through the trading houses to which they belonged. Captain Barrett brought experience of leading men in a colonial setting in the Malay States Guides with him to the SMP, while Major Gerrard drew on his experience of India to make recommendations on the reorganisation of the SMP. Shanghai thus belonged to the 'sub-imperial' sphere of influence exercised by British

India, described by Thomas Metcalf and Robert Blyth.[2] Blyth concentrates on India's 'western sphere' from the Persian Gulf to eastern Africa – what he terms the 'empire of the Raj' – but it is clear from the study of the SMC that China also came under this Indian influence, at the same time as drawing on models from other sources. Experiences of India, Hong Kong and other colonies fostered similar attitudes towards Chinese in Shanghai as were common in the empire: that they were 'natives' in need of controlling who should not be given a voice in governance.

Hong Kong provides a significant point of comparison in analysing the nature of the colonialism that was present in Shanghai. The British expatriates who dominated the council were very similar to those who were prominent figures in Hong Kong, but of course the latter's Legislative Assembly, where they could be given a voice in managing the colony, was subordinate to the Governor, who ruled Hong Kong in a way that no one 'ruled' the International Settlement.[3] The SMC enjoyed a high level of autonomy from the consular body in the city, the ministers in Beijing and the metropolitan authorities of London and, later and to a much lesser extent, Washington. It included settlers in its number, the Shanghailanders who had a local identity apart from their colonial connections to Britain and its empire. The internationalism of the council, notwithstanding the clear British dominance, also sets it apart from the colonies from which it borrowed many of its practices. This thesis has shown how American, Japanese and Chinese council members had an impact on council policy, so they signified more than a mere gesture towards internationalism, even if that was how they generally appeared or how many of the British

[2] Metcalf, *Imperial Connections*, pp. 1-14; Blyth, *Empire of the Raj*, pp. 2–8 and *passim*.
[3] This was, however, similar to the way in which the French Consul-General oversaw the French Concession.

council members wished them to behave. The increasing internationalism of the staff was also significant. This demonstrates that the colonialism in China was transnational in nature.

I choose to use the term 'transnational' rather than 'international' here because it captures the way that national institutions, governments and processes of inter-state relations were generally external to the workings of the council. The term stresses networks (or 'honeycombs', in Patricia Clavin's usage) over nation-to-nation relations, as people and ideas increasingly interacted from the inter-war period on.[4] The influence of the League of Nations in areas of public health and industrial reform was an important factor in the council's development towards a somewhat more socially responsible role. The transnational nature of the SMC is also clear in the backgrounds of the Chinese who joined the council from 1928. All of them without exception had some international experience, through study in Britain, France or the USA, from international travel representing the Chinese government, and from exposure to western culture through Christianity and business. This facilitated their work with foreign members of the council, but did not mean they were any less likely to oppose the extraterritoriality and foreign privilege which underpinned it. On the contrary, international education and political experience heightened awareness of the racial inequality that was the foundation of the International Settlement. Men like Yu Qiaqing, who chaired the Chinese Ratepayers' Association during its campaigns against the council but also led negotiations to admit Chinese councillors and then served in the SMC himself, demonstrate the extreme tensions that existed within the council and the diverse political positions that it represented by the 1930s.

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[4] Patricia Clavin, 'Defining Transnationalism', *Contemporary European History*, Vol. 14, No. 3, Theme Issue: Transnational Communities in European History, 1920-1970 (November 2005), pp. 438-9.

This leads into the final advantage of prioritising the people who shaped the council from within – its members and staff – in that it gives the SMC a personal face. The Chinese council members were leading figures of their day and an appreciation of their lives therefore enables a deeper understanding of Shanghai at this time. John Jordan, who headed the Public Health Department, was typical of the many British heads of department who were recruited directly from the UK, worked their way up the senior ranks of the staff and dedicated their careers to its service. Meanwhile the life stories of men and women like Stirling Fessenden, Shigeru Uyehara and Eleanor Hinder further enhance our understanding of the diversity of the council in the latter period under examination. Though not typical of the dozens of British council employees, they were extreme examples of particular elements of the council which require understanding. Fessenden, the Anglophile American, exemplifies the bellicose posturing that was more common among the settler element of the council and the Settlement than among the expatriates, whose long-term interests were less intimately bound up with China. Uyehara illustrates the growing Japanese influence in Council affairs in the 1930s, but also the conflicts and tensions experienced by council employees of many nationalities, most particularly Japanese and Chinese, when their national interests and those of the council did not coincide. Hinder represents in many ways the most progressive side of the council in the 1930s, as she strove to improve industrial working conditions in the Settlement despite the limitations of the legislation available to support this work. Hers was also the most international department, and she herself was deeply involved with transnational movements, cooperating with the League of Nations and engaging with leading figures of the feminist networks that spanned Europe, America and Australia.

The expanding scope of the council's work from laissez-faire governance towards accepting greater responsibility for certain aspects of social welfare is clear in its finances and in the two cases studies of the Public Health Department and Industrial Section. The Public Health Department expanded greatly from 1898 with increasing success in its work, particularly in providing free inoculations against some of the most threatening diseases of the day. The Industrial Section took on growing responsibility for the living conditions of Shanghai's workers, particularly from 1937. Yet keeping costs to a minimum was a constant constraint on these departments, as was the limited legal power of the council. The nature of the Land Regulations which governed the powers of the SMC, cumbersome to change and unsuited to the twentieth century as they had been written earlier with a much smaller Settlement in mind, posed a serious problem for those who wanted to see a greater municipal role in public welfare. The apathetic ratepayers and Chinese authorities opposed to increasing council powers often stymied the adoption of new byelaws. Frequently the Public Health Department and, even more so, the Industrial Section relied on education and publicity to achieve their aims in this environment. This signifies an important difference between the authority of the SMC and that of national or colonial governments, which could legislate freely.

The comparison with national, in addition to colonial, governments is apt, because in many ways the SMC functioned as if it were the government of a state, with its own defence force, independent budget and sense of identity. It is for this reason that the Settlement is characterised as a semi-colonial statelet, highlighting both its state-like tendencies and the way in which it deviated from colonial status. Yet in addition, the SMC was and should be compared to municipal authorities elsewhere, and it often looked to

practices in Manchester or Calcutta for a model that could be applied to public health policy in Shanghai. Colonies were thus not the only model applied to the Settlement: Britain itself was the prime point of comparison and model for municipal practice, from the organisation of its committees, finances and recruitment to its free trade ideology. Colonies also looked to the British example, but the autonomy of the SMC meant the impetus for the comparison came from Shanghai, rather than from London. The independence of the International Settlement from formal colonial control is the key reason for it to be characterised as semi-colonial rather than fully colonial, while recognising the strong significance of British influence.

The autonomy of the council was the defining distinction between the status of the International Settlement and a colony like Hong Kong. It rested in part on the fiscal independence of the council, able to collect taxes and float loans in its own right. Of course, the low cost of borrowing it enjoyed was due to its presumed 'gilt-edged' status from its links to London, though when tested in 1939, this presumption was proved misplaced. The council's finances were built upon investments and tax receipts from the Chinese and foreign community, the Chinese contributing more in rates for most of the period but less in loans than the foreign residents, but the council consistently prioritised foreign views and needs in its policy-making. It was reluctant, however, to accede to interference from any ratepayers, foreign or Chinese, preferring to keep municipal business behind closed doors, for the consideration of the members of council and committees and senior staff alone. That this was resented by the rate-paying community had only a gradual impact in making the council slightly more open and accountable to the public. Council minutes were published, whereas committee minutes were not, and it is perhaps for this reason that the latter have

provided so many insights into the workings of the SMC that have been of value to the present study.

Yet while the council was free from colonial control, to the frustration of Westminster in the 1920s when these 'spoilt children of empire' threatened Sino-British relations, at the same time the legal constraints on the SMC made it less able to act freely. Unable to legislate on public health matters or working conditions, the council's employees were forced to be creative in their attempts to improve public welfare, such as expanding the scope of existing regulations relating to buildings to demand more sanitary conditions in residences and better safety measures in factories. But this approach was far from satisfactory. In this way, the semi-colonial nature of the SMC was a hindrance, as it was not at liberty to rule the Settlement the way it would have been had it truly been colonial territory.

Nevertheless, the SMC was determined to manage the most modern municipality in China, and indeed 'East of Suez'. It managed to attract men and women to lead its Public Health Department and Industrial Section who were versed in the latest developments in their fields and applied their cutting edge knowledge to Shanghai to the best of their ability within the constraints of the municipal system. Commissioners of Public Health published their research in leading medical journals and introduced recent innovations in the prevention of plague and malaria. The emphasis on scientific modernity was an element of colonial influence on public health policy in the Settlement, but the other side of the coin was the attempted enforcement of oppressive disease-prevention measures against local populations. The SMC's plague prevention measures were particularly draconian, reflecting similarly aggressive activities by colonial governments and causing conflict with the

Chinese authorities. Public Health was a particular source of contention between the council and its neighbours, French as well as Chinese, although it was an area in which cooperation with both was particularly important in view of the fact that diseases do not respect administrative boundaries. The council was forced to retreat from its deeply unpopular steps against plague and in later years favoured an approach based on education and persuasion (also due to its lack of legislative powers noted above) which was more typical of metropolitan public health policies. To the extent that the strategy was successful, and in areas like administering inoculations at least it appears to have been, a policy born of weakness thus became a strength.

There was also a relationship of mutual influence between the SMC and the Chinese municipal authorities in the later period under examination, as the council was initially taken by the Municipal Government of Greater Shanghai as the model of modernity it hoped to represent, only to find itself in the position of playing catch-up in certain aspects of public health, such as the eye-care of municipal schoolchildren, and particularly in factory inspection. It did not accord with the council's self-perception (or the image it sought to project back to Britain) as a guiding light of modernity in China to be seen to fall behind its Chinese neighbours, even when, as in factory inspection, the Chinese government was ahead more in its aspirations than the reality of what it was in a position to achieve. However, as has been revealed by recent revisionist history of the Nationalist government, Nanjing was making significant progress in administration before it was derailed by the Sino-Japanese War, and the council's dismissal of the Chinese authorities did not reflect their capacity to effect real change. By demonstrating some of the ways in

which it was ahead of and influenced the SMC, this study has contributed to this revisionist historiography.

From the 1920s the SMC's position was increasingly insecure, due to growing Chinese nationalism, the consequent impatience of London and Washington with the council and, in the 1930s, Japanese aggression and war. The late flowering of a degree of social responsibility was offset by the persistence of the council's racist arrogance and reluctance to change combined with the legacy of the May Thirtieth Incident and the damage it did to relations with the Chinese. Yet for most of its existence the council was remarkably secure in its position, despite the thin legal basis in treaties for its activities. The degree to which the SMC enjoyed political legitimacy with the residents of Shanghai, both within the Settlement and on the external roads, is clear from its ability to collect taxation with little opposition for much of its existence. Although it had no right by treaty to expand its activities beyond the Settlement in this way, it was generally accepted as precedent was quickly established and hard to dislodge. The council's self-perception as the de facto authority which could be expected to continue into the foreseeable future was apparently shared by the majority of ratepayers, Chinese and foreign. At the same time, the association of rates with policing and security reinforces the centrality of defence to the position of the council.

The council's importance in the lives of the residents of the Settlement and the external roads was not necessarily always apparent. Cecil Uyehara assured me that at dinner table conversations about local affairs between his father, Deputy Commissioner of Police Shigeru Uyehara, and his mother, the SMC never featured.[5] Yet the council was

[5] Personal interview with Cecil Uyehara, 27 April 2011.

Uyehara's employer, as it was the employer of more Britons in Shanghai than any other organisation, and even greater numbers of Chinese. The Shanghai Municipal Police, subject to the authority of the council, was the sole legal defender of law and order in the Settlement and police were present on every major street corner. The SMC was not only responsible for everyday policing, but for the defence of the Settlement in times of emergency, when its authority became most obviously apparent to residents who found themselves either within or without the protection of the barriers erected along the perimeter of the Settlement. The council was also important to their everyday lives in ways that were far less visible but no less important. The council's intimate involvement in the public utilities companies helped ensure a supply of running water, electricity, gas, and telephone communication to the homes of residents. Many residents turned to the municipal hospitals when ill or hurt, while tens of thousands of Chinese were immunised and exposed to health and hygiene promotion propaganda at its branch health offices. Industrial employers were subject to inspections by the council's Industrial Section from 1932, while workers would encounter Hinder's staff if they sought mediation in disputes after 1937. This thesis has thus highlighted the importance of the SMC in the everyday lives of the numerous residents of the Settlement, and it was precisely because it was so much a part of the fabric of the Settlement that it was not necessary to discuss it at the Uyehara dinner table: it could be taken for granted as the managing force behind the daily lives of its inhabitants.

At the same time, it is clear that often the SMC was an antagonistic presence in Shanghai, frequently producing or exacerbating conflict through its actions, whether through its plague-prevention measures or the shooting of protesters by its police force on

May Thirtieth, 1925. In declaring the state of emergency in 1932 that led to the initial clash between Japanese and Chinese forces in Zhabei, the SMC demonstrated the extent to which its actions could have devastating consequences for international relations. For this reason alone, it is important that the role of the SMC in the history of Shanghai in this period is recognised.

Avenues for future research

The constraints of time and space necessarily delimited the scope of this study. The French Concession was a both a rival and a partner in much of the municipal activities of the SMC, and it would be fruitful to pursue a much more thorough comparison of the similarities and differences between the two authorities, to reach a greater understanding of the various kinds of colonialism that were present in Shanghai. Christine Cornet has provided the most thorough studies of the French Concession to date, but there is certainly room for more research on this neglected subject.[6] Further research would also be welcome on the treaty ports which looked to Shanghai as a 'model settlement', noting the similarities and important differences between some of the British concessions and their larger cousin on the Huangpu. This would allow a more far-reaching characterisation of the nature of British colonialism in China.

The focus of the archival research was very much on the records of the SMC, particularly the minutes of the council and its committees, and council correspondence. When looking at the intersections between the council and Chinese authorities, it would have been preferable to also make use of the records of the Shanghai Municipal

[6] Cornet, 'The Bumpy End of the French Concession', pp. 257-76.

Government and the Nanjing Government, but these were unfortunately not accessible. A thorough study of the Municipal Government has been made by Christian Henriot, but it remains underrepresented in considerations of Shanghai in this period.[7] This thesis has gone some way to correct this in examining the Municipal Government's interactions with the SMC in certain fields, particularly public health provision and industrial reform. From this it is clear that real attempts were made at cooperation but were stymied by the antagonism between the two authorities, though less so in industrial reform than public health due, it seems, to the personalities involved. More wide-ranging research into the relationship between the two would be revealing.

This thesis has provided a wide-ranging study of the nature of the Shanghai Municipal Council where none existed before, and has illustrated just why this is so important. The council was subject to the influences of practices and policies locally, nationally, colonially in the British world, and globally. It is these myriad overlapping influences, combined with the council's ultimate autonomy from formal imperial rule, that leads me to define it as an exemplar of transnational semi-colonialism. The International Settlement is perhaps best compared to the city statelets of post-1949 Hong Kong or Singapore, in its independence and exposure to so many intersecting influences. But fundamentally the SMC was *sui generis*: it cannot be adequately explained with the simple application of categories such as 'colonialism' or 'sovereignty'. Existing conceptions of foreign colonialism in China are largely limited to the analysis of bilateral state-to-state relations, but the importance of the SMC as an independent, transnational actor,

[7] Henriot, *Shanghai*.

demonstrated here, cannot be accommodated within this structure. The findings of this thesis therefore complicate the history of Sino-western relations and drive forward the debate on the nature of colonialism in China and elsewhere in the world, as historians continue to enhance our understanding of the complexities and varieties represented in western imperialism.

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